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MOMMSEN'S

HISTORY OF ROME

VOL. III.

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THE

HISTORY OF ROME

BY

THEODOR MOMMSEN

TRANSLATED

WITH THE AUTHOR'S SANCTION AND ADDITIONS

BY

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WITH A PREFACE BY DR. LEONHARD SCHMITZ

NEW EDITION, IN FOUR VOLUMES

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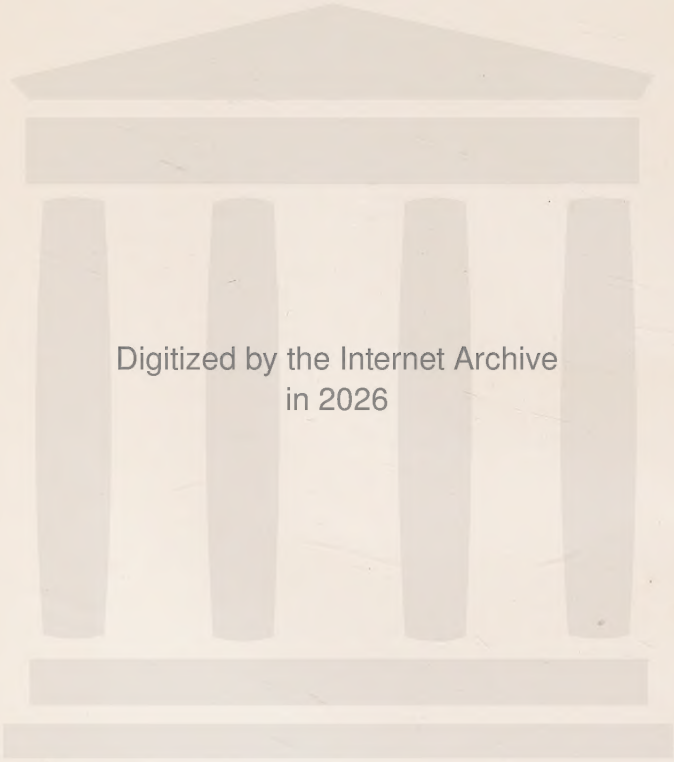
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TO

MY DEAR ASSOCIATES

FERDINAND HITZIG

OF ZÜRICH

AND

KARL LUDWIG

OF VIENNA

1852, 1853, 1854

PREFATORY NOTE.

THE CHANGES which the Author has had occasion to make in the new edition of the third and fourth volumes of this work, have chiefly arisen out of the recent discovery of the Fragments of Licinianus, which have supplemented our defective information as to the epoch from the battle of Pydna to the revolt of Lepidus in various not unimportant points, but have also suggested various fresh difficulties.

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BOOK FOURTH.

THE REVOLUTION.

"Aber sie treiben's toll;
Ich fürcht', es breche."
Nicht jeden Wochenschluss
Macht Gott die Zeche.

GOETHE.

CHAPTER I.

THE SUBJECT COUNTRIES DOWN TO THE TIMES OF THE GRACCHI.

The subjects.

On the abolition of the Macedonian monarchy, the supremacy of Rome was not only an established fact from the Pillars of Hercules to the mouths of the Nile and the Orontes but, as if it were the final decree of fate, pressed on the nations with all the weight of an inevitable necessity, and seemed to leave them merely the choice of perishing in hopeless resistance or in hopeless endurance. If history were not entitled to insist that the earnest reader should accompany her through good and evil days, through landscapes of winter as well as of spring, the historian might be tempted to shun the cheerless task of tracing the manifold and yet monotonous turns of this struggle between power and weakness, both in the Spanish provinces already annexed to the Roman empire and in the African, Hellenic, and Asiatic territories which were still treated as clients of Rome. But, however unimportant and subordinate the individual conflicts may appear, they possess collectively a deep historical significance; and, in particular, the state of things in Italy at this period only becomes intelligible in the light of the reaction which the provinces exercised over the mother-country.

Spain.

In addition to the territories which may be regarded as natural appendages of Italy—in which, however, the natives were still far from being completely subdued, and Ligurians, Sardinians, and Corsicans were, not greatly to the credit of Rome, continually furnishing occasion for "village triumphs" —the formal sovereignty of Rome at the commencement of this period was established only in the two Spanish provinces.

which embraced the larger eastern and southern portions of the peninsula beyond the Pyrenees. We have already (ii. 218 *et seq.*) attempted to describe the state of matters in the peninsula. Iberians and Celts, Phoenicians, Hellenes, and Romans were there strangely intermingled. The most diverse kinds and stages of civilization subsisted there simultaneously and at various points crossed each other, the ancient Iberian culture side by side with utter barbarism, the civilized relations of Phoenician and Greek mercantile cities side by side with the growth of a Latinizing culture, which was especially promoted by the numerous Italians employed in the silver mines and by the large standing garrison. In this respect the Roman township of Italica (near Seville) and the Latin colony of Carteia (on the bay of Gibraltar) deserve mention—the latter being, next to Agrigentum (ii. 158), the first transmarine civic community of Latin tongue and Italian constitution. Italica was founded by Scipio the Elder, before
206. he left Spain (548), for his veterans who were inclined to remain in the peninsula—probably not as a burgess-community, however, but merely as a market-place.* Carteia was founded
171. in 583 and owed its existence to the multitude of camp-children—the offspring of Roman soldiers and Spanish slaves —who grew up as slaves *de jure* but as free Italians *de facto*, and were now manumitted on behalf of the state and constituted, along with the old inhabitants of Carteia, into a Latin colony. For nearly thirty years after the regulation of the
179. province of the Ebro by Tiberius Sempronius Gracchus (575,
178. 576; ii. 224) the Spanish provinces, on the whole, enjoyed the blessings of peace undisturbed, although mention is made of one or two expeditions against the Celtiberians and Lusitanians.

Lusitanian war. [154 But more serious events occurred in 600. The Lusitanians, under the leadership of a chief called Punicus, invaded the Roman territory, defeated the two Roman governors who had united to oppose them, and slew a great number of their troops. The Vettones (between the Tagus and the Upper

* Italica must have been intended by Scipio to be what was called in Italy *forum et conciliabulum civium Romanorum*; Aquae Sextiae in Gaul had a similar origin afterwards. The formation of transmarine burgess-communities only began at a later date with Carthage and Narbo: yet it is remarkable that Scipio already made a first step, in a certain sense, in that direction.

Douro) were thereby induced to make common cause with the Lusitanians; and these, thus reinforced, were enabled to extend their excursions as far as the Mediterranean, and to pillage even the territory of the Bastulo-Phoenicians not far from the Roman capital New Carthage (Cartagena). The Romans at home took the matter so seriously as to resolve on sending a consul to Spain, a step which had not been taken since 559; and, in order to accelerate the despatch of 195.
aid, they even made the new consuls enter on office two months and a half before the legal time. For this reason the day for the consuls entering on office was shifted from the 15th of March to the 1st of January; and thus was established the beginning of the year which we still make use of at the present day. But, before the consul Quintus Fulvius Nobilior arrived with his army, a very serious encounter took place on the right bank of the Tagus between the praetor Lucius Mummius, governor of Further Spain, and the Lusitanians, now led after the fall of Punicus by his successor Caesarus (601). Fortune was at first favourable to 153.
the Romans; the Lusitanian army was broken and their camp was taken. But the Romans, already fatigued by their march and falling out of their ranks in the disorder of the pursuit, were at length completely defeated by their already vanquished antagonists, and lost their own camp in addition to that of the enemy, as well as 9000 dead.

The flame of war now blazed forth far and wide. The Lusitanians on the left bank of the Tagus, led by Caucaenus, threw themselves on the Celtici subject to the Romans (in Alentejo), and took their town Conistorgis. The Lusitanians sent the standards taken from Mummius to the Celtiberians at once as an announcement of victory and a summons to arms; and among these, too, there was no want of ferment. Two small Celtiberian tribes in the neighbourhood of the powerful Arevacae (near the sources of the Douro and Tagus), the Belli and the Titthi, had resolved to settle together in Segeda, one of their towns. While they were occupied in building the walls the Romans ordered them to desist, because the Sempronian regulations prohibited the subject communities from founding towns at their own discretion; and they at the same time required the contribu- Celtiberian war.

tion of money and men which was due by treaty but for a considerable period had not been demanded. The Spaniards refused to obey either command, alleging that they were engaged merely in enlarging, not in founding, a city, and that the contribution had been not merely suspended, but remitted by the Romans. Thereupon Nobilior appeared in Hither Spain with an army of nearly 30,000 men, including some Numidian horsemen and ten elephants. The walls of the new town of Segeda still stood unfinished: most of the inhabitants submitted. But the most resolute men fled with their wives and children to the powerful Arevacae, and summoned these to make common cause with them against the Romans. The Arevacae, emboldened by the victory of the Lusitanians over Mummius, consented, and chose Carus, one of the Segedan refugees, as their general. On the third day after his election the valiant leader had fallen, but the Roman army was defeated and nearly 6000 Roman burgesses were slain; the 23rd day of August, the festival of the Volcanalia, was thenceforth held in sad remembrance by the Romans. The fall of their general, however, induced the Arevacae to retreat into their strongest town Numantia (Guarray, a Spanish league to the north of Soria on the Douro), whither Nobilior followed them. Under the walls of the town a second engagement took place, in which the Romans at first by means of their elephants drove the Spaniards back into the town; but while doing so they were thrown into confusion in consequence of one of the animals being wounded, and sustained a second defeat at the hands of the enemy again issuing from the walls. This and other misfortunes—such as the destruction of a corps of Roman cavalry despatched to call forth the contingents—imparted to the affairs of the Romans in the Hither province so unfavourable an aspect that the fortress of Ocilis, where the Romans had their chest and their stores, passed over to the enemy, and the Arevacae were in a position to think of dictating peace, although without success, to the Romans. These disadvantages, however, were in some measure counterbalanced by the successes which Mummius achieved in the southern province. Weakened though his army was by the disaster which it had suffered, he yet succeeded in inflicting

a defeat on the Lusitanians who were imprudently scattered on the right bank of the Tagus; and passing over to the left bank, where the Lusitanians had overrun the whole Roman territory, and had even made a foray into Africa, he cleared the southern province of the enemy.

To the northern province in the following year (602) the senate sent considerable reinforcements and a new commander-in-chief to succeed the incapable Nobilior, the consul Marcus Claudius Marcellus, who had already, when praetor in 586, distinguished himself in Spain, and had since that time given proof of his talents as a general in two consulships. His skilful leadership, and still more his clemency, speedily changed the position of affairs: Ocilis at once surrendered to him; and even the Arevacae, confirmed by Marcellus in the hope that peace would be granted to them on payment of a moderate fine, concluded an armistice and sent envoys to Rome. Marcellus could thus proceed to the southern province, where the Vettones and Lusitanians had professed submission to the praetor Marcus Atilius so long as he remained within their bounds, but after his departure had immediately revolted afresh and chastised the allies of Rome. The arrival of the consul restored tranquillity, and, while he spent the winter in Corduba, hostilities were suspended throughout the peninsula. Meanwhile the question of peace with the Arevacae was discussed at Rome. It is a significant indication of the relations subsisting among the Spaniards themselves, that the emissaries of the Roman party among the Arevacae were the chief occasion of the rejection of the proposals of peace at Rome, by representing that, if the Romans were not willing to sacrifice the Spaniards friendly to their interests, they had no alternative save either to send a consul with a corresponding army every year to the peninsula or to make an emphatic example now. In consequence of this, the ambassadors of the Arevacae were dismissed without a decisive answer, and it was resolved that the war should be prosecuted with vigour. Marcellus accordingly found himself compelled in the following spring (603) to resume the war against the Arevacae. But—either, as was asserted, from his unwillingness to leave to his successor, who was to be expected

152. Marcellus.

168.

151.

soon, the glory of terminating the war, or, as is perhaps more probable, from his believing like Gracchus that a humane treatment of the Spaniards was the first thing requisite for a lasting peace—the Roman general after holding a secret conference with the most influential men of the Arevacae concluded a treaty under the walls of Numantia, by which the Arevacae surrendered to the Romans at discretion, but were reinstated in their former stipulated rights on their undertaking to pay money and furnish hostages.

Lucullus.

When the new commander-in-chief, the consul Lucius Lucullus, arrived at head-quarters, he found the war which he had come to conduct already terminated by a formally concluded peace, and his hopes of bringing home honour and more especially money from Spain were apparently frustrated. But there was a means of surmounting this difficulty. Lucullus of his own accord attacked the western neighbours of the Arevacae, the Vaccaei, a Celtiberian nation still independent and living on the best terms with the Romans. The question of the Spaniards as to what fault they had committed was answered by a sudden attack on the town of Cauca (Coca, eight Spanish leagues to the west of Segovia); and, while the terrified town believed that it had purchased a capitulation by heavy sacrifices of money, Roman troops marched in and enslaved or slaughtered the inhabitants without any pretext at all. After this heroic feat, which is said to have cost the lives of some 20,000 men, the army proceeded on its march. Far and wide the villages and townships were abandoned or, as in the case of the strong Intercatia and Pallantia (Palencia) the capital of the Vaccaei, closed their gates against the Roman army. Covetousness was caught in its own net; there was no community that would venture to conclude a capitulation with the perfidious commander, and the general flight of the inhabitants not only rendered booty scarce, but made it almost impossible for him to remain for any length of time in such inhospitable regions. In front of Intercatia, Scipio Aemilianus, an esteemed military tribune, the son of the victor of Pydna and the adopted grandson of the victor of Zama, succeeded, by pledging his word of honour when that of the general no longer availed, in inducing the inhabitants to conclude an agreement by

virtue of which the Roman army departed on receiving a supply of cattle and clothing. But the siege of Pallantia had to be raised for want of provisions, and the Roman army in its retreat was pursued by the Vaccaei as far as the Douro. Lucullus thereupon proceeded to the southern province, where in the same year the praetor, Servius Sulpicius Galba, had allowed himself to be defeated by the Lusitanians. They spent the winter not far from each other—Lucullus in the territory of the Turdetani, Galba at Conistorgis—and in the following year (604) jointly attacked the Lusitanians. Lucullus gained some advantages over them near the straits of Gades. Galba performed a greater achievement, for he concluded a treaty with three Lusitanian tribes on the right bank of the Tagus and promised to transfer them to better settlements; whereupon the barbarians, who to the number of 7000 came to him for the sake of the expected lands, were separated into three divisions, disarmed, and partly carried off into slavery, partly massacred. War has hardly ever been waged with so much perfidy, cruelty, and avarice as by these two generals; yet by means of their criminally acquired treasures the one escaped condemnation, and the other escaped even impeachment. The veteran Cato in his eighty-fifth year, a few months before his death, attempted to bring Galba to account before the burgesses; but the weeping children of the general, and the gold which he had brought home with him, demonstrated to the Roman people his innocence. 150.

It was not so much the inglorious successes which Lucullus and Galba had attained in Spain, as the outbreak of the fourth Macedonian and of the third Carthaginian war in 605, which induced the Romans again to leave Spanish affairs for a time in the hands of the ordinary governors. Whereupon the Lusitanians, exasperated rather than humbled by the perfidy of Galba, immediately overran afresh the rich territory of Turdetania.* The Roman governor Gaius Vetilius (607–8 ?*) Viriathus. 149. 147–6.

* The chronology of the war with Viriathus is far from being precisely settled. It is certain that the appearance of Viriathus dates from the conflict with Vetilius (Appian, *Hisp.* 61; Liv. lii.; Oros. v. 4), and that he perished in 615 (Diod. *Vat.* p. 110, &c.); the duration of his government is reckoned at eight (Appian, *Hisp.* 63), ten (Justin, xliv. 2), eleven (Diodorus, p. 597), fourteen (Liv. liv.; Eutrop. iv. 16; Oros. v. 4; Flor. i. 33), and twenty years (Vellei. ii. 90). The first estimate possesses some probability, because the appear-

marched against them, and not only defeated them, but drove the whole host towards a hill where it seemed lost irretrievably. The capitulation was virtually concluded, when Viriathus—a man of humble origin, who formerly, when a youth, had bravely defended his flock from wild beasts and robbers and was now in more serious conflicts a dreaded guerilla chief, and who was one of the few Spaniards that had accidentally escaped from the perfidious onslaught of Galba—warned his countrymen against relying on the Roman word of honour, and promised them deliverance if they would follow him. His language and his example produced a deep effect: the army entrusted him with the supreme command. Viriathus gave orders to the mass of his men to proceed in detached parties, by different routes, to the appointed rendezvous; he himself formed the best mounted and most trustworthy into a corps of 1000 horse, with which he covered the departure of the rest. The Romans, who wanted light cavalry, did not venture to disperse for the pursuit under the eyes of the enemy's horsemen. After Viriathus and his band had for two whole days held in check the entire Roman army, he suddenly disappeared during the night and hastened to the general rendezvous. The Roman general followed him, but fell into an adroitly laid ambuscade, in which he lost the half of his army and was himself captured and slain; with difficulty the rest of the troops escaped to the colony of Carteia near to the Straits. In all haste 5000 men of the Spanish militia were despatched from the Ebro to reinforce the defeated Romans; but Viriathus destroyed the corps while still on its march, and commanded so absolutely the whole interior of Carpetania that the Romans did not even venture to seek him there. Viriathus, now recognized as lord and king of all the Lusitanians, knew how to combine the full dignity of his princely position with the homely habits of a shepherd. No badge distinguished him from the common soldier: he rose from the richly adorned marriage-table of his father-in-law, the prince Astolpa in Roman Spain, with-

ance of Viriathus is connected both in Diodorus (p. 591; *Vat.* p. 107, 108) and in Orosius (v. 4) with the destruction of Corinth. Of the Roman governors, with whom Viriathus fought, several undoubtedly belong to the northern province; for though Viriathus was at work chiefly in the southern, he was not exclusively so (Liv. lii.); consequently we must not calculate the number of the years of his leadership by the number of these names.

out having touched the golden plate and the sumptuous fare, lifted his bride on horseback, and rode off with her to his mountains. He never took more of the spoil than the share which he allotted to each of his comrades. The soldier recognized the general simply by his tall figure, by his striking sallies of wit, and above all by the fact that he surpassed every one of his men in temperance as well as in toil, sleeping always in full armour and fighting in front of all in battle. It seemed as if in that thoroughly prosaic age one of the Homeric heroes had reappeared: the name of Viriathus resounded far and wide through Spain; and the brave nation conceived that in him at length it had found the man who was destined to break the fetters of alien domination.

His successes. 146.

Extraordinary successes in northern and southern Spain marked the next years of his leadership (608–9). After destroying the vanguard of the praetor Gaius Plautius, Viriathus had the skill to lure him over to the right bank of the Tagus, and there to defeat him so emphatically that the Roman general went into winter quarters in the middle of summer—on which account he was afterwards charged before the people with having disgraced the Roman community, and was compelled to live in exile. In like manner the army of the governor —apparently of the Hither province—Claudius Unimanus was destroyed, that of Gaius Negidius was vanquished, and the level country was pillaged far and wide. Trophies of victory, decorated with the insignia of the Roman governors and the arms of the legions, were erected on the Spanish mountains; people at Rome heard with shame and consternation of the victories of the barbarian king. The conduct of the Spanish war was now committed to a more trustworthy officer, the consul Quintus Fabius Maximus Aemilianus, the second son of the victor of Pydna (609). But the Romans no longer ventured to send the experienced veterans, who had just returned from Macedonia and Asia, forth anew to the detested Spanish war; the two legions, which Maximus brought with him, were recent levies and scarcely more to be trusted than the old utterly demoralized Spanish army. After the first conflicts had again issued favourably for the Lusitanians, the prudent general kept together his troops for the remainder of the year in the camp at Urso (Osuna, south-east

145.

from Seville) without accepting the enemy's offer of battle,
144. and only took the field afresh in the following year (610), after his troops had been qualified for fighting by pettier warfare; he was then enabled to maintain the superiority, and after successful feats of arms went into winter quarters at Corduba. But when the cowardly and incapable praetor Quinctius took the command in room of Maximus, the Romans again suffered defeat after defeat, and their general in the middle of summer shut himself up in Corduba, while the
143. bands of Viriathus overran the southern province (611).

His successor, Quintus Fabius Maximus Servilianus, the adopted brother of Maximus Aemilianus, was sent to the peninsula with two fresh legions and ten elephants; he endeavoured to penetrate into the Lusitanian country, but after a series of indecisive conflicts and an assault on the Roman camp, which was with difficulty repulsed, he found himself compelled to retreat to the Roman territory. Viriathus followed him into the province, but, as his troops after the wont of Spanish insurrectionary armies suddenly melted
142. away, he was obliged to return to Lusitania (612). Next
141. year (613) Servilianus resumed the offensive, traversed the districts on the Baetis and Anas, and then advancing into Lusitania occupied a great many towns. A large number of the insurgents fell into his hands; the leaders—of whom there were about 500—were executed; those who had gone over from Roman territory to the enemy had their hands cut off; the remaining multitude were sold into slavery. But on this occasion also the Spanish war proved true to its fickle and capricious character. After all these successes the Roman army was attacked by Viriathus while it was besieging Erisane, defeated, and driven to a rock where it was wholly in the power of the enemy. Viriathus, however, was content, like the Samnite general formerly at the Caudine pass, to conclude a peace with Servilianus, in which the community of the Lusitanians was recognized as sovereign and Viriathus acknowledged as its king. The power of the Romans had not increased more than the national sense of honour had declined; in the capital men were glad to be rid of the irksome war, and the senate and people ratified the treaty. But Quintus Servilius Caepio, the

full brother of Servilianus and his successor in office, was far from satisfied with this complaisance; and the senate was weak enough first to authorize the consul to undertake secret machinations against Viriathus, and then to view at least with indulgence his open breach of faith, for which there was no palliation. So Caepio invaded Lusitania, and traversed the land as far as the territories of the Vettones and Gallaeci; Viriathus declined a conflict with the superior force, and by dexterous movements evaded his antagonist (614). But when in the ensuing year (615) Caepio renewed the attack, and was supported by the army, which had in the mean time become available from the northern province, making its appearance under Marcus Popillius in Lusitania, Viriathus sued for peace on any terms. He was required to give up to the Romans all who had passed over to him from the Roman territory, amongst whom was his own father-in-law; he did so, and the Romans ordered them to be executed or to have their hands cut off. But this was not sufficient; the Romans were not in the habit of announcing to the vanquished all at once their destined fate. 140. 139.

His death.

One behest after another was issued to the Lusitanians, each successive demand more intolerable than its predecessor; and at length they were required even to surrender their arms. Then Viriathus recollected the fate of his countrymen whom Galba had caused to be disarmed, and grasped his sword afresh. But it was already too late. His wavering had sown the seeds of treachery among those who were immediately around him; three of his confidants, Audas, Ditalco, and Minucius from Urso, despairing of the possibility of renewed victory, procured from the king permission once more to enter into negotiations for peace with Caepio, and employed it for the purpose of selling the life of the Lusitanian hero to the foreigners in return for the assurance of personal amnesty and further rewards. On their return to the camp they assured the king of the favourable issue of their negotiations, and in the following night stabbed him while asleep in his tent. The Lusitanians honoured the illustrious chief by an unparalleled funeral solemnity at which two hundred pairs of champions fought in the funeral games; and still more highly by the fact, that they did not

renounce the struggle, but nominated Tautamus as their commander-in-chief in room of the fallen hero. The plan projected by the latter for wresting Saguntum from the Romans was sufficiently bold; but the new general possessed neither the wise moderation nor the military skill of his predecessor. The expedition was a total failure, and the army on its return was attacked in crossing the Baetis and compelled to surrender unconditionally. Thus was Lusitania subdued, far more by treachery and assassination on the part of foreigners and natives than by honourable war.

Numantia. While the southern province was scourged by Viriathus and the Lusitanians, a second and not less serious war had, not without their help, broken out in the northern province among the Celtiberian nations. The brilliant successes of
144. Viriathus induced the Arevacae likewise in 610 to rise against the Romans; and on that account the consul Quintus Caecilius Metellus, who was sent to Spain to relieve Maximus Aemilianus, did not proceed to the southern province, but turned against the Celtiberians. In the contest with them, and more especially during the siege of the town of Contrebia which was deemed impregnable, he showed the same ability which he had displayed in vanquishing the Macedonian pre-
143, 142. tender; after his two years' administration (611, 612) the northern province was reduced to obedience. The two cities of Termantia and Numantia alone had not yet opened their gates to the Romans; but in their case also a capitulation had been almost concluded, and the greater part of the conditions had been fulfilled by the Spaniards. When required, however, to deliver up their arms, they were restrained like Viriathus by their genuine Spanish pride in the possession of a well-handled sword, and they resolved to continue the war under the daring Megaravicus. It seemed folly: the consular
141. army, the command of which was taken up in 613 by the consul Quintus Pompeius, was four times as numerous as the whole population capable of bearing arms in Numantia. But the general, who was wholly unacquainted with war, sustained
141, 140. defeats so severe under the walls of the two cities (613, 614), that he preferred at length to procure by means of negotiations the peace which he could not compel. With Termantia a definitive agreement must have taken place. In the case of

the Numantines the Roman general liberated their captives, and summoned the community under the secret promise of favourable treatment to surrender to him at discretion. The Numantines, weary of the war, consented, and the general actually limited his demands to the smallest possible measure. Prisoners of war, deserters, and hostages were delivered up, and the stipulated sum of money was mostly paid, when in 615 the new general Marcus Popillius Laenas 139.
arrived in the camp. As soon as Pompeius saw the burden of command devolve on other shoulders, he, with a view to escape from the reckoning that awaited him at Rome for a peace which was according to Roman ideas disgraceful, lighted on the expedient of not merely breaking, but of disowning his word; and when the Numantines came to make their last payment, in the presence of their officers and his own he flatly denied the conclusion of the agreement. The matter was referred for judicial decision to the senate at Rome. While it was discussed there, the war before Numantia was suspended, and Laenas occupied himself with an expedition to Lusitania where he helped to accelerate the catastrophe of Viriathus, and with a foray against the Lusones, neighbours of the Numantines. When at length the decision of the senate arrived, its purport was that the war should be continued—the state became thus a party to the knavery of Pompeius.

With unimpaired courage and increased resentment the Mancinus.
Numantines resumed the struggle; Laenas fought against them unsuccessfully, nor was his successor Gaius Hostilius Mancinus more fortunate (617). But their discomfiture was 137.
occasioned not so much by the arms of the Numantines, as by the lax and wretched military discipline of the Roman generals and by—what was its natural consequence—the annually increasing dissoluteness, insubordination, and cowardice of the Roman soldiers. The mere rumour, which moreover was false, that the Cantabri and Vaccaei were advancing to the relief of Numantia, induced the Roman army to evacuate the camp by night without orders, and to seek shelter in the entrenchments constructed sixteen years before by Nobilior (p. 6). The Numantines, informed of their sudden departure, hotly pursued the fugitive army, and surrounded it:

there remained to it no choice save to fight its way with sword in hand through the enemy, or to conclude peace on the terms laid down by the Numantines. Although the consul was personally a man of honour, he was weak and little known. Tiberius Gracchus, who served in the army as quaestor, had more influence with the Celtiberians from the hereditary respect in which he was held on account of his father who had so wisely regulated the province of the Ebro, and induced the Numantines to be content with an equitable treaty of peace sworn to by all the staff-officers. But the senate not only recalled the general immediately, but after long deliberation caused a proposal to be submitted to the burgesses that the convention should be treated as they had formerly treated that of Caudium, in other words, that they should refuse its ratification and should devolve the responsibility on those who had concluded it. By right this category ought to have included all the officers who had sworn to the treaty; but Gracchus and the others were saved by their connections; Mancinus alone, who did not belong to the circle of the highest aristocracy, was destined to pay the penalty for his own and others' guilt. Stripped of his insignia, the Roman consular was conducted to the enemy's outposts, and, when the Numantines refused to receive him that they might not on their part acknowledge the treaty as null, the late commander-in-chief stood in his shirt and with his hands tied behind his back for a whole day before the gates of Numantia, a pitiful spectacle to friend and foe. Yet the bitter lesson seemed utterly lost on the successor of Mancinus, his colleague in the consulship, Marcus Aemilius Lepidus. While the discussions as to the treaty with Mancinus were pending in Rome, he attacked the free nation of the Vaccaei under frivolous pretexts just as Lucullus had done sixteen years before, and began in concert with the general of the
136. Further province to besiege Pallantia (618). A decree of the senate enjoined him to desist from the war; nevertheless, under the pretext that the circumstances had meanwhile changed, he continued the siege. In doing so he showed himself as bad a soldier as he was a bad citizen. After lying so long before the large and strong city that his supplies in that rugged and hostile country failed, he was obliged to

leave behind all the sick and wounded and to undertake a retreat, in which the pursuing Pallantines destroyed half of his soldiers, and, if they had not broken off the pursuit too early, would probably have utterly annihilated the Roman army, which was already in full course of dissolution. For this fault a fine was imposed on the highborn general at his return. His successors Lucius Furius Philus (618) and Gaius Calpurnius Piso (619) had again to wage war against the Numantines; and, inasmuch as they did nothing at all, they fortunately came home without defeat. 136. 135.

Even the Roman government began at length to perceive that matters could no longer continue on this footing; they resolved to entrust the subjugation of the small Spanish country-town, as an extraordinary measure, to Scipio Aemilianus the first general of Rome. The pecuniary means for carrying on the war were indeed doled out to him with preposterous parsimony, and the permission to levy soldiers which he asked was even directly refused—a circumstance due, probably, to coterie-intrigues and to the fear of being burdensome to the sovereign people. But a great number of friends and clients voluntarily accompanied him; among them was his brother Maximus Aemilianus, who some years before had commanded with distinction against Viriathus. Supported by this trusty band, which was formed into a guard for the general, Scipio began to reorganize the deeply disordered army (620). First of all, the camp-followers had to take their departure—there were as many as 2000 courtesans, and an endless number of soothsayers and priests of all sorts—and, if the soldier was not available for fighting, he had at least to work in the trenches and to march. During the first summer the general avoided any conflict with the Numantines; he contented himself with destroying the stores in the surrounding country, and with chastising the Vaccaeans who sold corn to the Numantines, and compelling them to acknowledge the supremacy of Rome. It was only towards winter that Scipio drew together his army round Numantia. Besides the Numidian contingent of horsemen, infantry, and twelve elephants led by the prince Jugurtha, and the numerous Spanish contingents, there were four legions, in all a force of 60,000 men investing a city whose citizens capable of bearing arms Scipio Aemilianus. 134.

did not exceed 8000 at the most. Nevertheless the besieged frequently offered battle; but Scipio, perceiving clearly that the disorganization of many years was not to be repaired all at once, refused to accept it, and, when conflicts did occur in connection with the sallies of the besieged, the cowardly flight of the legionaries, checked with difficulty by the appearance of the general in person, justified his tactics only too forcibly. Never did a general treat his soldiers more contemptuously than Scipio treated the Numantine army; and he showed his opinion of it not only by bitter speeches, but above all by the course of action which he adopted. For the first time the Romans waged war by means of mattock and spade, where it depended on themselves alone whether they should use the sword. Around the whole circuit of the city, which was nearly three miles, there was constructed a double line of circumvallation of twice that extent, provided with walls, towers, and ditches; and the river Douro, by which at first some supplies had reached the besieged through the efforts of bold boatmen and divers, was at length closed. Thus in all probability the town, which they did not venture to assault, could not fail to be reduced through famine; the more so, as it had not been possible for the citizens to lay in provisions during the last summer. The Numantines soon suffered from want of everything. One of their boldest men, Retogenes, cut his way with a few companions through the lines of the enemy, and his touching entreaty that kinsmen should not be allowed to perish without help produced a great effect in Lutia at least, one of the towns of the Arevacae. But before the citizens of Lutia had come to a decision, Scipio, having received information from the partisans of Rome in the town, appeared with a superior force before its walls, and compelled the authorities to deliver up to him the leaders of the movement, 400 of the flower of the youth, whose hands were all cut off by order of the Roman general. The Numantines, thus deprived of their last hope, sent to Scipio to negotiate as to their submission and called on the brave man to spare the brave; but when the envoys on their return announced that Scipio required unconditional surrender, they were torn in pieces by the furious multitude, and a fresh interval elapsed before famine and pestilence had completed their work. At

length a second message was sent to the Roman head-quarters, that the town was now ready to submit at discretion. When the citizens were accordingly instructed to appear on the following day before the gates, they asked for some days' delay, to allow those of their number who had determined not to survive the loss of liberty time to die. It was granted, and not a few took advantage of it. At last the miserable remnant appeared before the gates. Scipio chose fifty of the most eminent to form part of his triumphal procession; the rest were sold into slavery, the city was levelled with the ground, and its territory was distributed among the neighbouring towns. This occurred in the autumn of 621, fifteen months after Scipio had assumed the command. 133.

The fall of Numantia struck at the root of the opposition that was still here and there stirring against Rome; military demonstrations and the imposition of fines sufficed to secure the acknowledgment of the Roman supremacy in all Hither Spain.

The Gallaeci conquered.

In Further Spain the Roman dominion was confirmed and extended by the subjugation of the Lusitanians. The consul Decimus Junius Brutus, who came in Caepio's room, settled the Lusitanian war-captives in the neighbourhood of Saguntum, and gave to their new town Valentia (Valencia), like Carteia, a Latin constitution (616); he moreover (616–618) traversed the Iberian west coast in various directions, and was the first of the Romans to reach the shore of the Atlantic Ocean. The towns of the Lusitanians, which were obstinately defended by their inhabitants, both men and women, were subdued by him; and the hitherto independent Gallaeci were united with the Roman province after a great battle, in which 50,000 of them are said to have fallen. After the subjugation of the Vaccaeans, Lusitanians, and Gallaecians, the whole peninsula, with the exception of the north coast, was now at least nominally subject to the Romans. { 138. 138–136.

New organization of Spain.

A senatorial commission was sent to Spain in order to organize, in concert with Scipio, the newly won provincial territory after the Roman method; and Scipio did what he could to obviate the effects of the infamous and stupid policy of his predecessors. The Caucani for instance, whose shameful maltreatment by Lucullus he had been obliged to

witness nineteen years before when a military tribune, were invited by him to return to their town and to rebuild it. Spain began once more to enjoy better times. The suppression of piracy, which found dangerous lurking-places in the Baleares, through the occupation of these islands by
123. Quintus Caecilius Metellus in 631 was singularly conducive to the prosperity of Spanish commerce; and in other respects also the fertile islands, inhabited by a dense population which was unsurpassed in the use of the sling, were a valuable possession. How numerous the Latin-speaking population in the peninsula was even then, is shown by the settlement of 3000 Spanish Latins in the towns of Palma and Pollentia (Pollenza) in the newly acquired islands. In spite of various grave evils the Roman administration of Spain preserved on the whole the stamp which the Catonian period, and primarily Tiberius Gracchus, had impressed on it. It is true that the Roman frontier territory had not a little to suffer from the inroads of the tribes but half subdued or not subdued at all on the north and west. Among the Lusitanians in particular the poorer youths regularly congregated as banditti, and in large gangs levied contributions from their countrymen or their neighbours, for which reason, even at a much later period, the isolated homesteads in this region were constructed in the style of fortresses, and were, in case of need, capable of defence; nor did the Romans succeed in putting an end to these predatory habits in the inhospitable and almost inaccessible Lusitanian mountains. But what had previously been wars assumed more and more the character of brigandage, which every tolerably efficient governor was able to repress with his ordinary resources; and in spite of such inflictions on the border districts Spain was the most flourishing and best-organized country in all the Roman dominions; the system of tenths and the middlemen were there unknown; the population was numerous, and the country was rich in corn and cattle.

The protected states.

Far more insupportable was the condition—intermediate between formal sovereignty and actual subjection—of the African, Greek, and Asiatic states which were brought within the sphere of Roman hegemony through the wars of Rome with Carthage, Macedonia, and Syria, and their conse-

quences. An independent state does not pay too dear for its independence in accepting the sufferings of war when it cannot avoid them; a state which has lost its independence may find at least some compensation in the fact that its protector secures for it peace with its neighbours. But these client states of Rome had neither independence nor peace. In Africa there practically subsisted a perpetual border-war between Carthage and Numidia. In Egypt Roman arbitration had settled the dispute as to the succession between the two brothers Ptolemy Philometor and Ptolemy the Fat; nevertheless the new rulers of Egypt and Cyrene waged war for the possession of Cyprus. In Asia not only were most of the kingdoms—Bithynia, Cappadocia, Syria—likewise torn by internal quarrels as to the succession and by the interventions of neighbouring states to which these quarrels gave rise, but various and severe wars were carried on between the Attalids and the Galatians, between the Attalids and the kings of Bithynia, and even between Rhodes and Crete. In Hellas Proper, in like manner, the pigmy feuds which were customary there continued to smoulder; and even Macedonia, formerly so tranquil, consumed its strength in the intestine strife that arose out of its new democratic constitutions. It was the fault of the rulers as well as the ruled, that the last vital energies and the last prosperity of the nations were expended in these aimless feuds. The client states ought to have perceived that a state which cannot wage war against every one cannot wage war at all, and that, as the possessions and power enjoyed by all these states were practically under Roman guarantee, they had in the event of any difference no alternative but to settle the matter amicably with their neighbours or to call in the Romans as arbiters. When the Achaean diet was urged by the Rhodians and Cretans to grant them the aid of the league, and seriously deliberated as to sending it (601), it 153.
was simply a political farce; the principle which the leader of the party friendly to Rome then laid down—that the Achaeans were no longer at liberty to wage war without the permission of the Romans—expressed, doubtless with disagreeable precision, the simple truth that the formal sovereignty of the dependent states was merely formal, and that

any attempt to give life to the shadow must necessarily lead to the destruction of the shadow itself. But the ruling community deserves a censure more severe than that directed against the ruled. It is no easy task for a state any more than for a man to become reconciled to insignificance; it is the duty and right of the ruler either to renounce his authority, or by the display of an imposing material superiority to compel the ruled to resignation. The Roman senate did neither. Invoked and importuned on all hands, the senate interfered incessantly in the course of African, Hellenic, Asiatic, and Egyptian affairs; but it did so after so inconstant and loose a fashion, that its attempts to settle matters usually only rendered the confusion worse. It was the epoch of commissions. Commissioners of the senate were constantly going to Carthage and Alexandria, to the Achaean diet, and to the courts of the rulers of western Asia; they investigated, inhibited, reported, and yet decisive steps were not unfrequently taken in the most important matters without the knowledge, or against the wishes, of the senate. Cyprus, for instance, which the senate had assigned to the kingdom of Cyrene, was nevertheless retained by Egypt; a Syrian prince ascended the throne of his ancestors under the pretext that he had obtained a promise of it from the Romans, while the senate had in fact expressly refused to give it to him, and he himself had only escaped from Rome by breaking their interdict; even the open murder of a Roman commissioner, who under the orders of the senate administered as guardian the government of Syria, passed totally unpunished. The Asiatics were very well aware that they were not in a position to resist the Roman legions; but they were no less aware that the senate was but little inclined to give the burgesses orders to march for the Euphrates or the Nile. Thus the state of these remote countries resembled that of the schoolroom when the teacher is absent or lax; and the government of Rome deprived the nations at once of the blessings of freedom and of the blessings of order. For the Romans themselves, moreover, this state of matters was so far perilous that it to a certain extent left their northern and eastern frontier exposed. In these quarters kingdoms might be formed by the aid of the inland countries

situated beyond the limits of the Roman hegemony and in antagonism to the weak states under Roman protection, without Rome being able directly or speedily to interfere, and might develop a power dangerous to, and entering sooner or later into rivalry with, Rome. No doubt the condition of the bordering nations—everywhere split into fragments and nowhere favourable to political development on a great scale—formed some sort of protection against this danger; yet we very clearly perceive in the history of the East, that at this period the Euphrates was no longer guarded by the phalanx of Seleucus and was not yet watched by the legions of Augustus.

It was high time to put an end to this uncertain state of things. But the only possible way of ending it was by converting the client states into Roman provinces. This could be done all the more easily, that the Roman provincial constitution in fact only concentrated military power in the hands of the Roman governor, while administration and jurisdiction in the main were, or at any rate were intended to be, retained by the communities, so that as much of the old political independence as was at all capable of life might be preserved in the form of communal freedom. The necessity for this administrative reform could not well be mistaken; the only question was, whether the senate would put it off and mar it, or whether it would have the courage and the power clearly to discern and energetically to execute what was needful.

Carthage and Numidia.

Let us first glance at Africa. The order of things established by the Romans in Libya rested in substance on a balance of power between the Nomad kingdom of Massinissa and the city of Carthage. While the former was enlarged, confirmed, and civilized under the vigorous and sagacious government of Massinissa (ii. 216), Carthage in consequence simply of a state of peace became once more, at least in wealth and population, what it had been at the height of its political power. The Romans saw with ill-concealed and envious fear the apparently indestructible prosperity of their old rival; while hitherto they had refused to grant to it any real protection against the constantly repeated encroachments of Massinissa, they now began openly to interfere in favour

of the neighbouring prince. The dispute which had been pending for more than thirty years between the city and the king as to the possession of the province of Emporia on the Lesser Syrtis, one of the most fertile in the Carthaginian
161. territory, was at length (about 593) decided by Roman commissioners to the effect that the Carthaginians should evacuate those towns of Emporia which still remained in their possession, and should pay 500 talents (£120,000) to the king as compensation for the illegal enjoyment of the territory. The consequence was, that Massinissa immediately seized another Carthaginian district on the western frontier of their territory, the town of Tusca and the great plains near the Bagradas; no course was left to the Carthaginians but to commence another hopeless process at Rome. After long and, beyond doubt, intentional delay a second commission appeared in Africa; but, when the Carthaginians were unwilling to commit themselves unconditionally to a decision to be pronounced by it as arbiter without an exact preliminary investigation into the question of right, and insisted on a thorough discussion of the latter question, the commissioners without further ceremony returned to Rome.

The destruction of Carthage resolved on at Rome.

The question of right between Carthage and Massinissa thus remained unsettled; but the mission gave rise to a more important decision. The head of the commission had been the old Marcus Cato, at that time perhaps the most influential man in the senate, and, as a veteran survivor from the Hannibalic war, still filled with thorough hatred and thorough dread of the Phoenicians. With surprise and jealousy Cato had seen with his own eyes the flourishing state of the hereditary foes of Rome, the luxuriant country and the crowded streets, the immense stores of arms in the magazines and the rich materials for a fleet; already he in spirit beheld a second Hannibal wielding all these resources against Rome. In his honest and manly, but thoroughly narrow-minded, fashion, he came to the conclusion that Rome could not be secure until Carthage had disappeared from the face of the earth, and immediately after his return set forth this view in the senate. Those of the aristocracy whose ideas were more enlarged, and especially Scipio Nasica, opposed this paltry policy with great earnest-

ness; and showed how blind were the fears entertained regarding a mercantile city whose Phoenician inhabitants were becoming more and more disused to warlike arts and ideas, and how the existence of that rich commercial city was quite compatible with the political supremacy of Rome. Even the conversion of Carthage into a Roman provincial town might have been practicable, and indeed, compared with the present condition of the Phoenicians, perhaps even not unwelcome. Cato, however, desired not the submission, but the destruction of the hated city. His policy, as it would seem, found allies partly in the statesmen who were inclined to bring the transmarine territories into immediate dependence on Rome, partly and especially in the mighty influence of the Roman bankers and great capitalists on whom, after the destruction of the rich moneyed and mercantile city, its inheritance would necessarily devolve. The majority resolved at the first fitting opportunity—respect for public opinion required that they should wait for such—to bring about war with Carthage, or rather the destruction of the city.

War between Massinissa and Carthage.

The desired occasion was soon found. The provoking violations of right on the part of Massinissa and the Romans brought to the helm in Carthage Hasdrubal and Carthalo, the leaders of the patriotic party, which was not indeed, like the Achaeans, disposed to revolt against the Roman supremacy, but was at least resolved to defend, if necessary, by arms against Massinissa the stipulated rights of the Carthaginians. The patriots ordered forty of the most decided partisans of Massinissa to be banished from the city, and made the people swear that they would on no account ever permit their return; at the same time, in order to repel the attacks that might be expected from Massinissa, they formed out of the free Numidians a numerous army under Arcobarzanes, the grandson of Syphax (about 600). Massinissa, however, was prudent enough not to take arms now, but to submit himself unconditionally to the decision of the Romans respecting the disputed territory on the Bagradas; and thus the Romans could assert with some plausibility that the Carthaginian preparations must have been directed against them, and could insist on the immediate dismissal of the army and

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destruction of the naval stores. The Carthaginian senate was disposed to consent, but the multitude prevented the execution of the decree, and the Roman envoys, who had brought this order to Carthage, were in peril of their lives. Massinissa sent his son Gulussa to Rome to report the continuance of the Carthaginian warlike preparations by land and sea, and to hasten the declaration of war. After a further embassy of ten men had confirmed the statement
152. that Carthage was in reality arming (602), the senate rejected the demand of Cato for an absolute declaration of war, but resolved in a secret sitting that war should be declared if the Carthaginians would not consent to dismiss their army and to burn their materials for a fleet. Meanwhile the conflict had already begun in Africa. Massinissa had sent back the men whom the Carthaginians had banished, under the escort of his son Gulussa, to the city. When the Carthaginians closed their gates against them and killed also some of the Numidians returning home, Massinissa put his troops in motion, and the patriot party in Carthage also prepared for the struggle. But Hasdrubal, who was placed at the head of their army, was one of the usual incapables whom the Carthaginians were in the habit of employing as generals; strutting about in his general's purple like a theatrical king, and pampering his portly person even in the camp, that vain-glorious and unwieldy man was little fitted to render help in an exigency which perhaps even the genius of Hamilcar and the arm of Hannibal could have no longer averted. Before the eyes of Scipio Aemilianus, who, at that time a military tribune in the Spanish army, had been sent to Massinissa to bring over African elephants for his commander, and who on this occasion looked down on the conflict from a mountain "like Zeus from Ida," the Carthaginians and Numidians fought a great battle, in which the former, though reinforced by 6000 Numidian horsemen brought to them by discontented captains of Massinissa, and superior in number to the enemy, were worsted. After this defeat the Carthaginians offered to make cessions of territory and payments of money to Massinissa, and Scipio at their solicitation attempted to bring about an agreement; but the project of peace was frustrated by the refusal of the Carthaginian

patriots to surrender the deserters. Hasdrubal, however, closely hemmed in by the troops of his antagonist, was compelled to grant to the latter all that he demanded—the surrender of the deserters, the return of the exiles, the delivery of arms, the marching off under the yoke, the payment of 100 talents (£24,000) annually for the next fifty years. But even this convention was not kept by the Numidians; on the contrary the disarmed remnant of the Carthaginian army was cut to pieces by them on the way home.

Declaration of war by Rome.

The Romans, who had carefully abstained from preventing the war itself by seasonable interposition, had now what they wished: namely, a serviceable pretext for war—for the Carthaginians had certainly now transgressed the stipulations of the treaty, that they should not wage war against the allies of Rome or beyond their own bounds (ii. 197, 211)—and an antagonist already beaten beforehand. The Italian contingents were summoned to Rome, and the ships were assembled; the declaration of war might issue at any moment. The Carthaginians made every effort to avert the impending blow. Hasdrubal and Carthalo, the leaders of the patriot party, were condemned to death, and an embassy was sent to Rome to throw the responsibility on them. But at the same time envoys from Utica, the second city of the Libyan Phoenicians, arrived there with full powers to surrender their community wholly to the Romans—compared with such obliging submissiveness, it seemed almost an insolence that the Carthaginians had rested content with ordering, unbidden, the execution of their most eminent men. The senate declared that the excuse of the Carthaginians was found insufficient; to the question, what in that case would suffice, the reply was given that the Carthaginians knew that themselves. They might, no doubt, have known what the Romans wished; but yet it seemed impossible to believe that the last hour of their loved native city had really come. Once more Carthaginian envoys—on this occasion thirty in number and with unlimited powers—were sent to Rome. When they arrived, war was already declared (beginning of 605), and the double consular army had embarked. Yet they even now attempted to dispel the storm by complete submission. The senate replied that Rome was ready to

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guarantee to the Carthaginian community its territory, its municipal freedom and its laws, its public and private property, provided that it would furnish to the consuls who had just departed for Sicily within the space of a month at Lilybaeum 300 hostages from the children of the leading families, and would fulfil the further orders which the consuls in conformity with their instructions should give forth. The reply has been called ambiguous; but very erroneously, as even at the time clearsighted men among the Carthaginians themselves pointed out. The circumstance that everything which they could ask was guaranteed with the single exception of the city, and that nothing was said as to stopping the embarkation of the troops for Africa, showed very clearly what the Roman intentions were; the senate acted with fearful harshness, but it did not put on the semblance of concession. The Carthaginians, however, would not open their eyes; there was no statesman found, who had the power to move the unstable multitude of the city either to thorough resistance or to thorough resignation. When they heard at the same time of the horrible decree of war and of the endurable demand for hostages, they complied immediately with the latter, and still clung to hope, because they had not the courage fully to realize the import of surrendering themselves beforehand to the arbitrary will of a mortal foe. The consuls sent the hostages from Lilybaeum to Rome, and informed the Carthaginian envoys that they would learn further particulars in Africa. The landing was accomplished without resistance, and the provisions demanded were supplied. When the Gerusia of Carthage appeared in a body at the head-quarters in Utica to receive the further orders, the consuls required in the first instance the disarming of the city. To the question of the Carthaginians, who was in that case to protect them even against their own emigrants—against the army, which had swelled to 20,000 men, under the command of Hasdrubal who had saved himself from the sentence of death by flight—it was replied, that this would be provided for by the Romans. Accordingly the council of the city obsequiously appeared before the consuls with all their fleet-material, all the military stores of the public magazines, all the arms that were found in the possession of private per-

sons—to the number of 3000 catapults and 200,000 sets of armour—and inquired whether anything more was desired. Then the consul Lucius Marcius Censorinus rose and announced to the council, that in accordance with the instructions given by the senate the existing city was to be destroyed, but that the inhabitants were at liberty to settle anew in their territory wherever they chose, provided it were at a distance of at least ten miles from the sea.

Resistance of the Carthaginians.

This fearful command aroused in the Phoenicians all the —shall we say magnanimous or frenzied?—enthusiasm, which was displayed previously by the Tyrians against Alexander, and subsequently by the Jews against Vespasian. Unparalleled as was the patience with which this nation could endure bondage and oppression, as unparalleled was now the tumultuous fury of that mercantile and seafaring population, when the things at stake were not the state and freedom, but the beloved soil of their ancestral city and their venerable and dear home beside the sea. Hope and deliverance were out of the question; sound policy enjoined even now an unconditional submission. But the voice of the few who counselled the acceptance of what was inevitable was, like the call of the pilot during a hurricane, drowned amidst the furious yells of the multitude; which, in its frantic rage, laid hands on the magistrates of the city who had counselled the surrender of the hostages and arms, made such of the innocent bearers of the news as had ventured at all to return home expiate their terrible tidings, and tore in pieces the Italians who chanced to be sojourning in the city by way of avenging beforehand, at least on them, the destruction of its native home. No resolution was taken to defend themselves: unarmed as they were, this was a matter of course. The gates were closed; stones were carried to the battlements of the walls that had been stripped of the catapults; the chief command was entrusted to Hasdrubal, the grandson of Massinissa; the slaves in a body were declared free. The army of refugees under the fugitive Hasdrubal—which was in possession of the whole Carthaginian territory with the exception of the towns on the east coast occupied by the Romans, viz. Hadrumetum, Little Leptis, Thapsus and Achulla, and the city of Utica, and offered an invaluable support for the

defence—was entreated not to refuse its aid to the commonwealth in this dire emergency. At the same time, concealing in true Phoenician style the most unbounded resentment under the cloak of humility, they attempted to deceive the enemy. A message was sent to the consuls to request a thirty days' armistice for the despatch of an embassy to Rome. The Carthaginians were well aware that the generals neither would nor could grant this request, which had been refused already; but the consuls were confirmed by it in the natural supposition that after the first outbreak of despair the utterly defenceless city would submit, and accordingly postponed the attack. The precious interval was employed in preparing catapults and armour; day and night all, without distinction of age or sex, were occupied in constructing machines and forging arms; the public buildings were torn down to procure timber and metal; women cut off their hair to furnish the strings indispensable for the catapults; in an incredibly short time the walls and the men were once more armed. That all this could be done without the consuls, who were but a few miles off, learning anything of it, is not the least marvellous feature in this marvellous movement animated by a truly enthusiastic, and in fact superhuman, national hatred. When at length the consuls, weary of waiting, broke up from their camp at Utica, and thought that they should be able to scale the naked walls with ladders, they found to their surprise and horror the battlements crowned anew with catapults, and the large populous city, which they had hoped to occupy like an open village, able and ready to defend itself to the last man.

Situation of Carthage.

Carthage was rendered very strong both by the nature of its situation* and by the art of its inhabitants, who had very frequently to depend on the protection of its walls. Into the broad gulf of Tunis, which is bounded on the west by Cape Farina and on the east by Cape Bon, there projects in a direction from west to east a promontory, which is encom-

* The line of the coast has been in the course of centuries so much changed that the former local relations are but imperfectly recognizable on the ancient site. The name of the city is preserved by Cape Cartagena — also called from the saint's tomb found there Ras Sidi bu Said—the eastern headland of the peninsula, projecting into the gulf with its highest point rising to 393 feet above the level of the sea.

passed on three sides by the sea and is connected with the mainland only towards the west. This promontory, at its narrowest part only about two miles broad and on the whole flat, again expands towards the gulf, and terminates there in the two heights of Jebel-Khawi and Sidi bu Said, between which extends the plain of El Mersa. On its southern portion which ends in the height of Sidi bu Said lay the city of Carthage. The pretty steep declivity of that height towards the gulf and its numerous rocks and shallows gave natural strength to the side of the city next to the gulf, and a simple circumvallation was sufficient there. On the wall along the west or landward side, on the other hand, where nature afforded no protection, every appliance within the power of the art of fortification in those times was expended. It consisted, as its recently discovered remains exactly tallying with the description of Polybius have shown, of an outer wall of six and a half feet in thickness and immense casemates constructed behind this wall probably along its whole extent; these were separated from the outer wall by a covered way six feet broad, and had a width of fourteen feet, exclusive of the front and back walls, each of which was fully three feet broad.* This enormous wall, composed throughout of large

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* The dimensions given by Beulé (*Fouilles à Carthage*, 1861) are as follows in mètres and in Greek feet (1 = 0·309 mètre):—

Outer wall	2 mètres	=	6½ feet.
Corridor	1·9 ,,	=	6 ,,
Front wall of casemates	1 ,,	=	3¼ ,,
Casemate rooms	4·2 ,,	=	14 ,,
Back wall of casemates	1 ,,	=	3¼ ,,
Whole breadth of the walls	10·1 mètres	=	33 feet.

Or, as Diodorus (p. 522) states it, 22 cubits (1 Greek cubit = 1½ feet), while Livy (*ap.* Oros. iv. 22) and Appian (*Pun.* 95), who seem to have had before them another less accurate passage of Polybius, state the breadth of the walls at 30 feet. The triple wall of Appian—as to which a false idea has hitherto been diffused by Florus (i. 31)—denotes the outer wall, and the front and back walls of the casemates. That this coincidence is not accidental, and that we have here in reality the remains of the famed walls of Carthage before us, will be evident to every one: the objections of Davis (*Carthage and her Remains*, p. 370 *et seq.*) only show how little even the utmost zeal can adduce in opposition to the main results of Beulé. Only we must maintain that all the ancient authorities give the statements of which we are now speaking with reference not to the citadel-wall, but to the city-wall on the landward side, of which the wall along the south side of the citadel hill was an integral part (Oros. iv. 22). In accordance with this view, the excavations at the citadel hill on the east, north, and west, have shown no traces of fortifications, whereas on the south side they have brought to light the very remains of this great wall. There is no reason for regarding these as the remains of a separate fortification of the citadel distinct from the city wall; it may be presumed that further excavations at a corresponding depth—the foundation of the city wall discovered at the Byrsa lies fifty-six feet beneath the present surface—will bring to light like, or at any rate

hewn blocks, rose in two stories, exclusive of the battlements and the huge towers four stories high, to a height of forty-five feet,* and furnished in the lower range of the casemates stables and provender-stores for 300 elephants, in the upper range stalls for horses, magazines, and barracks.† The citadel-hill, the Byrsa (Syriac, *bîrtha* = citadel), a comparatively considerable rock having a height of 188 feet and at its base a circumference of fully 2000 double paces,‡ was joined to this wall at its southern end, just as the rock-wall of the Capitol was joined to the city-wall of Rome. Its summit bore the huge temple of the God of Healing, resting on a basement of sixty steps. The south side of the city was washed partly by the shallow lake of Tunes towards the south-west, which was separated almost wholly from the gulf by a narrow and low tongue of land running southwards from the Carthaginian peninsula,§ partly by the open gulf towards the south-east. At this last spot was situated the double harbour of the city, a work of human hands; the outer or commercial harbour, a longish rectangle with the narrow end turned to the sea, from whose entrance, only seventy feet wide, broad quays stretched along the water on both sides, and the inner circular war-harbour, the Cothon,‖ with the

analogous, foundations along the whole landward side, although it is probable that at the point where the walled suburb of Magalia adjoined the main wall the fortification was either weaker from the first or was early neglected. The length of the wall as a whole cannot be stated with precision; but it must have been very considerable, for three hundred elephants were stabled there, and the stores for their fodder and perhaps other spaces also as well as the gates are to be taken into account. It was very natural that the inner city, within whose walls the Byrsa was included, should, especially by way of contrast to the suburb of Magalia which had its separate circumvallation, be sometimes itself called Byrsa (App. *Pun.* 117; Nepos, *ap.* Serv. *Aen.* i. 368).

* Such is the height given by Appian, *l. c.*; Diodorus gives the height, probably inclusive of the battlements, at 40 cubits or 60 feet. The remnant preserved is still from 13 to 16 feet (4–5 mètres) high.

† The rooms of a horse-shoe shape brought to light in excavation have a depth of 14, and a breadth of 11, Greek feet; the width of the entrances is not specified. Whether these dimensions and the proportions of the corridor suffice for our recognizing them as elephants' stalls, remains to be settled by a more accurate investigation. The partition-walls, which separate the apartments, have a thickness of 1·1 mètre = 3½ feet.

‡ Oros. iv. 22. Fully 2000 paces, or —as Polybius must have said—16 *stadia*, are = about 3000 mètres. The citadel-hill, on which the church of St. Louis now stands, measures at the top about 1400, half way up about 2600, mètres in circumference (Beulé, p. 22); for the circumference at the base that estimate will very well suffice.

§ It now bears the fort Goletta.

‖ That this Phoenician word signifies a basin excavated in a circular shape, is shown both by Diodorus (iii. 44), and by its being employed by the Greeks to denote a "cup." It thus suits only

island containing the admiral's house in the middle, which was approached through the outer harbour. Between the two passed the city wall, which turning eastward from the Byrsa excluded the tongue of land and the outer harbour, but included the war-harbour, so that the entrance to the latter must be conceived as capable of being closed like a gate. Not far from the war-harbour lay the market-place, which was connected by three narrow streets with the citadel open on the side towards the town. To the north of, and beyond, the city proper, the pretty considerable space of the modern El Mersa, even at that time occupied in great part by villas and well-watered gardens, and then called Magalia, had a circumvallation of its own dovetailed into the city wall. On the opposite point of the peninsula, the Jebel-Khawi near the modern village of Ghamart, lay the necropolis. These three —the old city, the suburb, and the necropolis—together filled the whole breadth of the promontory on its side next the gulf, and were only accessible by the two highways leading to Utica and Tunes along that narrow tongue of land, which, although not closed by a wall, yet afforded a most advantageous position for the armies taking their stand under the protection of the capital with the view of protecting it in return.

The difficult task of reducing so well fortified a city was rendered still more difficult by the fact, that the resources of the capital itself and of its territory which still included 800 townships and was mostly under the power of the emigrant party on the one hand, and the numerous tribes of the free or half-free Libyans hostile to Massinissa on the other, enabled the Carthaginians simultaneously with their defence of the city to keep a numerous army in the field—an army which, from the desperate temper of the emigrants and the serviceableness of the light Numidian cavalry, the besiegers could not afford to disregard.

The consuls accordingly had by no means an easy task to perform, when they now found themselves compelled to The siege.

.he inner harbour of Carthage, and in :hat sense it is used by Strabo (xvii. 2, 14, where it is strictly applied to the admiral's island) and Fest. *Ep. v. Cothones*, p. 37. Appian (*Pun.* 127) is not quite accurate in describing the rectangular harbour in front of the Cothon as part of it.

commence a regular siege. Manius Manilius, who commanded the land army, pitched his camp opposite the wall of the citadel, while Lucius Censorinus stationed himself with the fleet on the lake and there began operations on the tongue of land. The Carthaginian army, under Hasdrubal, encamped on the other side of the lake near the fortress of Nepheris, whence it obstructed the labours of the Roman soldiers despatched to cut timber for constructing machines, and the able cavalry-leader in particular, Himilco Phameas, slew many of the Romans. Censorinus fitted up two large battering-rams on the tongue, and made a breach with them at this weakest place of the wall; but, as evening had set in, the assault had to be postponed. During the night the besieged succeeded in filling up a great part of the breach, and in so damaging the Roman machines by a sortie that they could not work next day. Nevertheless the Romans ventured on the assault; but they found the breach and the portions of the wall and houses in the neighbourhood so strongly occupied, and advanced with such imprudence, that they were repulsed with severe loss and would have suffered still greater damage, had not the military tribune Scipio Aemilianus, foreseeing the issue of the foolhardy attack, kept together his men in front of the walls and thus intercepted the fugitives. Manilius accomplished still less against the impregnable wall of the citadel. The siege thus lingered on. The diseases engendered in the camp by the heat of summer, the departure of Censorinus the abler general, the ill-humour and inaction of Massinissa who was naturally far from pleased to see the Romans taking for themselves the booty which he had long coveted, and the death of the king at the age of ninety which ensued soon
149. after (end of 605), utterly arrested the offensive operations of the Romans. They had enough to do in protecting their ships against the Carthaginian incendiaries and their camp against nocturnal surprises, and in securing food for their men and horses by the construction of a harbour-fort and by forays in the neighbourhood. Two expeditions directed against Hasdrubal remained without success; and in fact the first, badly led over difficult ground, had almost terminated in a formal defeat. But, while the course of the war

was inglorious for the general and the army, the military tribune Scipio achieved in it brilliant distinction. It was he who, on occasion of a nocturnal attack by the enemy on the Roman camp, starting with some squadrons of horse and taking the enemy in rear, compelled him to retreat. On the first expedition to Nepheris, when the passage of the river had taken place in opposition to his advice and had almost occasioned the destruction of the army, by a bold attack in flank he relieved the pressure on the retreating troops, and by his devoted and heroic courage rescued a division which had been given up as lost. While the other officers, and the consul in particular, by their perfidy deterred the towns and party-leaders that were inclined to negotiate, Scipio succeeded in inducing one of the ablest of the latter, Himilco Phameas, to pass over to the Romans with 2200 cavalry. Lastly, after he had in fulfilment of the charge of the dying Massinissa divided his kingdom among his three sons, Micipsa, Gulussa, and Mastanabal, he brought to the Roman army in Gulussa a cavalry-leader worthy of his father, and thereby remedied the want, which had hitherto been seriously felt, of light cavalry. His refined and yet simple demeanour, which recalled rather his own father than him whose name he bore, overcame even envy, and in the camp as in the capital the name of Scipio was on the lips of all. Even Cato, who was not liberal with his praise, a few months before his death—he died at the end of 605 without having seen the wish of his life, the destruction of Carthage, accomplished—applied to the young officer and to his incapable comrades the Homeric line :— 149.

He only is a living man, the rest are gliding shades.*

While these events were passing, the close of the year had come and with it a change of commanders ; the consul Lucius Piso (606) was somewhat late in appearing and took the command of the land army, while Lucius Mancinus took charge of the fleet. But, if their predecessors had done little, these did nothing at all. Instead of prosecuting the siege of Carthage or subduing the army of Hasdrubal, Piso 148.

* Οἷος πέπνυται, τοὶ δὲ σκιαὶ ἀΐσσουσιν.

employed himself in attacking the small maritime towns of the Phoenicians, and that mostly without success. Clupea, for example, repulsed him, and he was obliged to retire in disgrace from Hippo Diarrhytus, after having lost the whole summer in front of it and having had his besieging apparatus twice burnt. Neapolis was no doubt taken; but the pillage of the town in opposition to his pledged word of honour was not specially favourable to the progress of the Roman arms. The courage of the Carthaginians rose. Bithyas, a Numidian sheik, passed over to them with 800 horse; Carthaginian envoys were enabled to attempt negotiations with the kings of Numidia and Mauretania and even with Philip the Macedonian pretender. It was perhaps internal intrigues—Hasdrubal the emigrant brought the general of the same name, who commanded in the city, into suspicion on account of his relationship with Massinissa, and caused him to be put to death in the senate-house—rather than the activity of the Romans, that prevented things from assuming a turn still more favourable for Carthage.

Scipio Aemilianus.

With the view of producing a change in the state of African affairs, which excited uneasiness, the Romans resorted to the extraordinary measure of entrusting the conduct of the war to the only man who had as yet brought home honour from the Libyan plains, and who was recommended for this war by his very name. Instead of calling Scipio to the aedileship for which he was a candidate, they gave to him the consulship before the usual time, setting aside the laws to the contrary effect, and committed to him by special decree the conduct of the African war. He
147. arrived (607) in Utica at a very critical moment. The Roman admiral Mancinus, charged by Piso with the nominal continuance of the siege of the capital, had occupied a steep cliff, far remote from the inhabited district and scarcely defended, on the almost inaccessible seaward side of the suburb of Magalia, and had united nearly his whole not very numerous force there, in the hope of being able to penetrate thence into the outer town. In fact the assailants had been for a moment within its gates and the camp-followers had flocked forward in a body in the hope of spoil, when

they were again driven back to the cliff and, being without supplies and almost cut off, were in the greatest danger. Scipio found matters in that position. He had hardly arrived when he despatched the troops which he had brought with him and the militia of Utica by sea to the threatened point, and succeeded in saving its garrison and holding the cliff itself. After this danger was averted, the general proceeded to the camp of Piso to take the command and bring the army back to Carthage. Hasdrubal and Bithyas availed themselves of his absence to move their camp immediately up to the city, and to renew the attack on the garrison of the cliff before Magalia; but Scipio appeared with the vanguard of the main army in sufficient time to afford assistance to the post. Then the siege began afresh and more earnestly. First of all Scipio cleared the camp of the mass of camp-followers and sutlers and once more tightened the relaxed reins of discipline. Military operations were soon resumed with increased vigour. In an attack by night on the suburb the Romans succeeded in passing from a tower—placed in front of the walls and equal to them in height—on to the battlements, and opened a little gate through which the whole army entered. The Carthaginians abandoned the suburb and their camp before the gates, and gave the chief command of the garrison of the city, amounting to 30,000 men, to Hasdrubal. The new commander displayed his energy in the first instance by giving orders that all the Roman prisoners should be brought to the battlements and, after undergoing cruel tortures, should be thrown over before the eyes of the besieging army; and, when voices were raised in disapproval of the act, a reign of terror was introduced with reference to the citizens also. Scipio, meanwhile, after having confined the besieged to the city itself, sought totally to cut off their intercourse with the outer world. He took up his head-quarters on the ridge by which the Carthaginian peninsula was connected with the mainland, and, notwithstanding the various attempts of the Carthaginians to disturb his operations, constructed a great camp across the whole breadth of the isthmus, which completely shut off the city from the landward side. Nevertheless ships with provisions still ran into the harbour, partly

bold merchantmen allured by the great gain, partly vessels of Bithyas, who availed himself of every favourable wind to convey supplies to the city from Nepheris at the end of the lake of Tunes; whatever might now be the sufferings of the citizens, the garrison was still sufficiently provided for. Scipio therefore constructed a stone mole, 96 feet broad, running from the tongue of land between the lake and gulf into the latter, so as thus to close the mouth of the harbour. The city seemed lost, when the success of this undertaking, which was at first ridiculed by the Carthaginians as impracticable, became evident. But one surprise was balanced by another. While the Roman labourers were constructing the mole, work was going forward night and day for two months in the Carthaginian harbour, without even the deserters being able to tell what were the designs of the besieged. All of a sudden, just as the Romans had completed the bar across the entrance to the harbour, fifty Carthaginian triremes and a number of boats and skiffs sailed forth from that same harbour into the gulf—while the enemy were stopping up the old mouth of the harbour towards the south, the Carthaginians had by means of a canal formed in an easterly direction procured for themselves a new outlet, which owing to the depth of the sea at that spot could not possibly be closed. Had the Carthaginians, instead of resting content with a mere demonstration, thrown themselves at once and resolutely on the half-dismantled and wholly unprepared Roman fleet, it must have been lost; when they returned on the third day to give battle, they found the Romans in readiness. The conflict came off without decisive result; but on their return the Carthaginian vessels so ran foul of each other in and before the entrance of the harbour, that the damage thus occasioned was equivalent to a defeat. Scipio now directed his attacks against the outer quay, which lay outside of the city walls and was only protected for the exigency by an earthen rampart of recent construction. The machines were stationed on the tongue of land, and a breach was easily made; but with unexampled intrepidity the Carthaginians, wading through the shallows, assailed the besieging implements, chased away the covering force which ran off in such a manner that Scipio

was obliged to make his own troopers cut them down, and destroyed the machines. In this way they gained time to close the breach. Scipio again established the machines and set on fire the wooden towers of the enemy; by which means he obtained possession of the quay and of the outer harbour along with it. A rampart equalling the city wall in height was here constructed, and the town was now at length completely blockaded by land and sea, for the inner harbour could only be reached through the outer. To ensure the completeness of the blockade, Scipio ordered Gaius Laelius to attack the camp at Nepheris, where Diogenes now held the command; it was captured by a fortunate stratagem, and the whole countless multitude assembled there were put to death or taken prisoners. Winter had now arrived and Scipio suspended his operations, leaving famine and pestilence to complete what he had begun.

Capture of the city.

How fearfully these mighty agencies had laboured in the work of destruction during the interval while Hasdrubal continued to vaunt and to gormandize, appeared so soon as the Roman army proceeded in the spring of 608 to attack the inner town. Hasdrubal gave orders to set fire to the outer harbour and made himself ready to repel the expected assault on the Cothon; but Laelius succeeded in scaling the wall, hardly longer defended by the famished garrison, at a point farther up and thus penetrated into the inner harbour. The city was captured, but the struggle was still by no means at an end. The assailants occupied the market-place contiguous to the small harbour, and slowly pushed their way along the three narrow streets leading from this to the citadel—slowly, for the huge houses of six stories in height had to be taken one by one; on the roofs or on beams laid over the street the soldiers penetrated from one of these fortress-like buildings to that which was adjoining or opposite, and cut down whatever they encountered there. Thus six days elapsed, terrible for the inhabitants of the city and full of difficulty and danger also for the assailants; at length they arrived in front of the steep citadel-rock, whither Hasdrubal and the force still surviving had retreated. To procure a wider approach, Scipio gave orders to set fire to the captured streets and to level the ruins; on

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which occasion a number of persons unable to fight, who were concealed in the houses, miserably perished. Then at last the remnant of the population, crowded together in the citadel, besought for mercy. Life was barely conceded to them, and they appeared before the victor, 30,000 men and 25,000 women, not the tenth part of the former population. The Roman deserters alone, 900 in number, and the general Hasdrubal with his wife and his two children had thrown themselves into the temple of the God of Healing; for them—for soldiers who had deserted their posts, and for the murderer of the Roman prisoners—there were no terms. But when, yielding to famine, the most resolute of them set fire to the temple, Hasdrubal could not endure to face death; alone he ran forth to the victor and falling upon his knees pleaded for his life. It was granted; but, when his wife who with her children was among the rest on the roof of the temple saw him at the feet of Scipio, her proud heart swelled at this disgrace brought on her beloved perishing home, and, with bitter words bidding her husband be careful to save his life, she plunged first her sons and then herself into the flames. The struggle was at an end. The joy in the camp and at Rome was boundless; the noblest of the people alone were in secret ashamed of the most recent achievement of the nation. The prisoners were mostly sold as slaves; several were allowed to languish in prison; the most notable, Hasdrubal and Bithyas, were sent to the interior of Italy as Roman state-prisoners and tolerably treated. The moveable property, with the exception of gold, silver, and votive gifts, was abandoned to the pillage of the soldiers. As to the temple treasures, the booty that had been in better times carried off by the Carthaginians from the Sicilian towns was restored; the bull of Phalaris, for example, was returned to the Agrigentines; the rest fell to the Roman state.

Destruction of Carthage.

But by far the larger portion of the city still remained standing. We may believe that Scipio desired its preservation; at least he addressed a special inquiry to the senate on the subject. Scipio Nasica once more attempted to gain a hearing for the demands of reason and honour; but in vain. The senate ordered the general to level the city of Carthage and the suburb of Magalia with the ground, and to

do the same with all the townships which had held by Carthage to the last; and thereafter to pass the plough over the site of Carthage so as to put an end in legal form to the existence of the city, and to curse the soil and site for ever, that neither house nor cornfield might ever reappear on the spot. The command was punctually obeyed. The ruins burned for seventeen days: recently, when the remains of the Carthaginian city wall were excavated, they were found to be covered with a layer of ashes from four to five feet deep, filled with half-charred pieces of wood, fragments of iron, and projectiles. Where the industrious Phoenicians had bustled and trafficked for five hundred years, Roman slaves henceforth pastured the herds of their distant masters. Scipio, however, whom nature had destined for a nobler part than that of an executioner, gazed with horror on his own work; and, instead of the joy of victory, the victor himself was haunted by a presentiment of the retribution that would inevitably follow such a misdeed.

Province of Africa.

Arrangements had still to be made as to the future organization of the country. The earlier plan of investing the allies of Rome with the transmarine possessions that she acquired was no longer viewed with favour. Micipsa and his brothers retained in substance their former territory, including the districts recently wrested from the Carthaginians on the Bagradas and in Emporia; their long-cherished hope of obtaining Carthage as a capital was for ever frustrated; the senate presented them instead with the Carthaginian libraries. The Carthaginian territory as possessed by the city in its last days—viz., the narrow border of the African coast lying immediately opposite to Sicily, from the river Tusca (Wady Saine, opposite to the island of Galita) to Thenae (opposite to the island of Karkenah)—became a Roman province. In the interior, where the constant encroachments of Massinissa had more and more narrowed the Carthaginian dominions and Vacca, Zama, and Bulla already belonged to Numidia, the Numidians retained what they possessed. But the careful regulation of the boundary between the Roman province and the Numidian kingdom, which enclosed it on three sides, showed that Rome would by no means tolerate in reference to herself what she had permitted in reference to

Carthage; while the name of the new province, Africa, on the other hand appeared to indicate that Rome did not at all regard the boundary now marked off as a definitive one. The supreme administration of the new province was entrusted to a Roman governor, whose seat was Utica. Its frontier did not need any regular defence, as the allied Numidian kingdom everywhere separated it from the inhabitants of the desert. In the matter of taxes Rome dealt on the whole with moderation. Those communities which from the beginning of the war had taken part with Rome—viz., only the maritime towns of Utica, Hadrumetum, Little Leptis, Thapsus, Achulla, and Usalis, and the inland town of Theudalis—retained their territory and became free cities; which was also the case with the newly founded community of deserters. The territory of the city of Carthage—with the exception of a tract presented to Utica—and that of the other destroyed townships became Roman domainland, which was let on lease. The remaining townships likewise forfeited in law their property in the soil and their municipal liberties; but their land and their constitution were left to them on sufferance for the time being and until further orders from the Roman government, and the communities paid annually to Rome for the use of their soil which had become Roman a definitely fixed tribute (*stipendium*), which they in their turn raised by means of a property-tax levied from the individuals liable. The real gainers, however, by this destruction of the first commercial city of the West were the Roman merchants, who, as soon as Carthage lay in ashes, flocked in troops to Utica, and from this as their head-quarters began to turn to profitable account not only the Roman province, but also the Numidian and Gaetulian regions which had hitherto been closed to them.

Macedonia and the Pseudo-Philip.

Macedonia also disappeared about the same time as Carthage from the ranks of the nations. The four small confederacies, into which the wisdom of the Roman senate had parcelled out the ancient kingdom, could not live at peace either internally or one with another. The state of matters in the country appears from a single accidentally mentioned occurrence at Phacus, where the whole governing council of one of these confederacies were murdered on the instigation

of one Damasippus. Neither the commissions sent by the senate (590), nor the foreign arbiters, such as Scipio Aemilianus (603) called in after the Greek fashion by the Macedonians, were able to establish any tolerable order. Suddenly there appeared in Thrace a young man, who called himself Philip the son of king Perseus, whom he strikingly resembled, and of the Syrian Laodice. He had passed his youth in the Mysian town of Adramyttium; there he asserted that he had preserved the sure proofs of his illustrious descent. With these he had, after a vain attempt to obtain recognition in his native country, resorted to Demetrius Soter, king of Syria, his mother's brother. There were in fact some who believed the Adramyttene or professed to believe him, and urged the king either to reinstate the prince in his hereditary kingdom or to cede to him the crown of Syria; whereupon Demetrius, to put an end to the foolish proceedings, arrested the pretender and sent him to the Romans. But the senate attached so little importance to the man, that it confined him in an Italian town without taking steps to have him even seriously guarded. Thus he had escaped to Miletus, where the civic authorities once more seized him and asked the Roman commissioners what they should do with the prisoner. The latter advised them to let him go; and they did so. He now tried his fortune further in Thrace; and, singularly enough, he obtained recognition and support there not only from Teres the chief of the Thracian barbarians, the husband of his father's sister, and Barsabas, but also from the prudent Byzantines. With Thracian support the so-called Philip invaded Macedonia, and, although he was defeated at first, he soon gained one victory over the Macedonian militia in the district of Odomantice beyond the Strymon, followed by a second on the west side of the river, which gave him possession of all Macedonia. Apocryphal as his story sounded, and decidedly as it was established that the real Philip, the son of Perseus, had died when eighteen years of age at Alba, and that this man, so far from being a Macedonian prince, was Andriscus a fuller of Adramyttium, yet the Macedonians were too much accustomed to the rule of a king not to be readily satisfied on the point of legitimacy and to return with pleasure into the old paths. Messengers arrived from the Thes-

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salians, announcing that the pretender had advanced into their territory; the Roman commissioner Nasica, who, in the expectation that a mere remonstrance would put an end to the foolish enterprise, had been sent by the senate to Macedonia without soldiers, was obliged to call out the Achaean and Pergamene troops and to protect Thessaly against the superior force by means of the Achaeans, as far as was practicable, till (605?) the praetor Juventius appeared with a legion. The latter attacked the Macedonians with his small force; but he himself fell, his army was almost wholly destroyed, and the greater part of Thessaly fell into the power of the Pseudo-Philip, who conducted his government there and in Macedonia with cruelty and arrogance. At length a stronger Roman army under Quintus Caecilius Metellus appeared on the scene of conflict, and, supported by a Pergamene fleet, advanced into Macedonia. In the first cavalry combat the Macedonians retained the superiority; but soon dissensions and desertions occurred in the Macedonian army, and the blunder of the pretender in dividing his army and detaching half of it to Thessaly procured for the Romans an easy and decisive victory (606). Philip fled to the chieftain Byzes in Thrace, whither Metellus followed him and after a second victory obtained his surrender.

149.

Victory of Metellus.

148.

Province of Macedonia.

The four Macedonian confederacies had not voluntarily submitted to the pretender, but had yielded only to force. According to the policy hitherto pursued there was therefore no reason for depriving the Macedonians of the shadow of independence which the battle of Pydna had still left to them; nevertheless the kingdom of Alexander was now, by order of the senate, converted by Metellus into a Roman province. This case clearly showed that the Roman government had changed its system, and had resolved to substitute the relation of subjection for that of dependence; and accordingly the suppression of the four Macedonian confederacies was felt throughout the whole range of the client-states as a blow directed against all. The possessions in Epirus which were formerly after the first Roman victories detached from Macedonia—the Ionian Islands and the ports of Apollonia and Epidamnus (ii. 78, 295), that had hitherto been under the jurisdiction of the Italian magistrates were

now reunited with Macedonia, so that the latter, probably as early as this period, reached on the north-west to a point beyond Scodra, where Illyria began. The protectorate which Rome claimed over Greece Proper likewise devolved, of course, on the new governor of Macedonia. Thus Macedonia recovered its unity and nearly the same limits which it had in its most flourishing times. It had no longer, however, the unity of a kingdom, but that of a province, retaining its communal and even as it would seem its district organization, but placed under an Italian governor and quaestor, whose names make their appearance on the native coins along with the name of the country. As tribute there was retained the old moderate land-tax, as Paullus had arranged it (ii. 322)—a sum of 100 talents (£24,000) which was allocated in fixed proportions on the several communities. Yet the land could not forget its old glorious dynasty. A few years after the subjugation of the Pseudo-Philip another pretended son of Perseus, Alexander, raised the banner of insurrection on the Nestus (Karasu), and had in a short time collected 16,000 men; but the quaestor Lucius Tremellius mastered the insurrection without difficulty and pursued the fugitive pretender as far as Dardania (612). This was the last movement 142.
of the proud national spirit of Macedonia, which two hundred years before had accomplished so great things in Hellas and Asia. Henceforward there is scarcely anything else to be told of the Macedonians, save that they continued to reckon their inglorious years from the date at which the country received its definitive provincial organization (608). 146.

Thenceforth the defence of the northern and eastern frontiers of Macedonia or, in other words, of the frontier of Hellenic civilization against the barbarians devolved on the Romans. It was not conducted by them with adequate forces or, on the whole, with befitting energy; but with a primary view to this military object the great Egnatian highway was constructed, which as early as the time of Polybius ran from Apollonia and Dyrrhachium, the two chief ports on the west coast, across the interior to Thessalonica, and was afterwards prolonged to the Hebrus (Maritza).*

* This road was known even to the author of the pseudo-Aristotelian treatise *De Mirabilibus* as a commercial route between the Adriatic and Black seas,

The new province became the natural basis, on the one hand for the movements against the turbulent Dalmatians, and on the other hand for the numerous expeditions against the Illyrian, Celtic, and Thracian tribes settled to the north of the Grecian peninsula, which we shall afterwards have to exhibit in their historical connection.

Greece. Greece Proper had greater occasion than Macedonia to congratulate herself on the favour of the ruling power; and the Philhellenes of Rome were probably of opinion that the calamitous effects of the war with Perseus were disappearing, and that the state of things in general was improving there. The bitterest abettors of the now dominant party, Lyciscus the Aetolian, Muasippus the Boeotian, Chrematas the Acarnanian, the infamous Epirot Charops whom honourable Romans forbade even to enter their houses, descended one after another to the grave; another generation grew up, in which the old recollections and the old antagonisms had faded. The senate thought that the time for gene-
150. ral forgiveness and oblivion had come, and in 604 released the survivors of those Achaean patriots who had been confined for seventeen years in Italy, and whose liberation the Achaean diet had never ceased to demand. Nevertheless they were mistaken. How little the Romans with all their Philhellenism had been successful in really conciliating Hellenic patriotism, was nowhere more clearly apparent than in the attitude of the Greeks towards the Attalids. King Eumenes II. had been, as a friend of the Romans, extremely hated in Greece (ii. 310); but scarcely had a coldness arisen between him and the Romans, when he became suddenly popular in Greece, and the Hellenic votary of hope expected the deliverer from a foreign yoke to come now from Pergamus as formerly from Macedonia. Social disorganization more especially was visibly on the increase among the petty states of Hellas now left to themselves. The country became desolate not through war and pestilence, but through the daily increasing disinclination of the higher classes to trouble

viz. as that along which the wine jars from Corcyra met half way those from Thasos and Lesbos. Even now it runs substantially in the same direction from Durazzo, crossing the mountains of Bagora (Candavian chain) at the lake of Ochrida (Lychnitis), by way of Monastir to Salonica.

themselves with wife and children; on the other hand the criminal or the thoughtless flocked as hitherto chiefly to Greece, to await the recruiting officer there. The communities sank into daily deeper debt, and into financial dishonour and a corresponding want of credit: some cities, more especially Athens and Thebes, resorted in their financial distress to direct robbery, and plundered the neighbouring communities. The internal dissensions in the leagues also—*e. g.* between the voluntary and involuntary members of the Achaean confederacy—were by no means composed. If the Romans, as seems to have been the case, believed what they wished and confided in the calm which for the moment prevailed, they were soon to learn that the younger generation in Hellas was in no respect better or wiser than the older. The Greeks directly sought an opportunity of picking a quarrel with the Romans.

Achaean war. [149.

In order to screen a foul transaction, Diaeus, the president of the Achaean league for the time being, about 605 threw out in the diet the assertion that the special privileges conceded by the Achaean league to the Lacedaemonians as members—viz., their exemption from the Achaean criminal jurisdiction, and the right to send separate embassies to Rome—were not at all guaranteed to them by the Romans. It was an audacious falsehood; but the diet naturally believed what it wished, and, when the Achaeans showed themselves ready to make good their assertions with arms in hand, the weaker Spartans yielded for the time, or, to speak more correctly, those whose surrender was demanded by the Achaeans left the city to appear as complainants before the Roman senate. The senate answered as usual that it would send a commission to investigate the matter; but instead of reporting this reply the envoys stated in Achaia as well as in Sparta, and in both cases falsely, that the senate had decided in their favour. The Achaeans, who felt more than ever their equality with Rome as allies and their political importance on account of the aid which the league had just rendered in Thessaly against the Pseudo-Philip, advanced in 606 under their *strategus* Damocritus into Laconia: in vain a Roman embassy on its way to Asia, at the suggestion of Metellus, admonished them to keep the peace and to await the commissioners of the

148.

senate. A battle took place, in which nearly 1000 Spartans fell, and Sparta might have been taken if Damocritus had not been equally incapable as an officer and as a statesman. He was superseded, and his successor Diaeus, the instigator of all this mischief, zealously continued the war, while at the same time he gave to the dreaded commandant of Macedonia assurances of the full loyalty of the Achaean league. Thereupon the long-expected Roman commission made its appearance, with Aurelius Orestes at its head; hostilities were now suspended, and the Achaean diet assembled at Corinth to receive its communications. They were of an unexpected and far from agreeable character. The Romans had resolved to cancel the unnatural and forced (ii. 296) inclusion of Sparta among the Achaean states, and generally to act with vigour
163. against the Achaeans. Some years before (591) these had been obliged to release from their league the Aetolian town of Pleuron (ii. 296); now they were directed to renounce all the acquisitions which they had made since the second Macedonian war—viz., Corinth, Orchomenus, Argos, Sparta in the Peloponnesus, and Heraclea near Oeta—and to reduce their league to the condition in which it stood at the end of the Hannibalic war. When the Achaean deputies learned this, they rushed immediately to the market-place without even hearing the Romans to an end, and communicated the Roman demands to the multitude; whereupon the governing and the governed rabble determined with one voice to arrest at once the whole Lacedaemonians present in Corinth, because Sparta forsooth had brought on them this misfortune. The arrest accordingly took place in the most tumultuary fashion, so that the possession of Laconian names or Laconian shoes appeared sufficient ground for imprisonment: in fact they even entered the dwellings of the Roman envoys to seize the Lacedaemonians who had taken shelter there, and severe expressions were uttered against the Romans, although they did not lay hands on their persons. The envoys returned home in indignation, and made bitter and even exaggerated complaints in the senate; but the latter, with the same moderation which marked all its measures against the Greeks, confined itself at first to representations. In the mildest form, and hardly mentioning satisfaction for the insults which they had suffered, Sextus Julius Caesar re-

peated the commands of the Romans at the diet in Aegium (spring of 607). But the leaders of affairs in Achaia with the new *strategus* Critolaus at their head (*strategus* from May 607 to May 608), as men versed in state affairs and familiar with political arts, merely drew from that fact the inference that the position of Rome with reference to Carthage and Viriathus could not but be very unfavourable, and continued at once to cheat and to affront the Romans. Caesar was requested to arrange a conference of deputies of the contending parties at Tegea for the settlement of the question. He did so; but, after Caesar and the Lacedaemonian deputies had waited there long in vain for the Achaeans, Critolaus at last appeared alone and informed them that the general assembly of the Achaeans was solely competent in this matter, and that it could only be settled at the diet or, in other words, in six months. Caesar thereupon returned to Rome; and the next national assembly of the Achaeans on the proposal of Critolaus formally declared war against Sparta. Even now Metellus made an attempt amicably to settle the quarrel, and sent envoys to Corinth; but the noisy *ecclesia*, consisting mostly of the populace of that wealthy commercial and manufacturing city, drowned the voice of the Roman envoys and compelled them to leave the platform. The declaration of Critolaus, that they wished the Romans to be their friends but not their masters, was received with inexpressible delight; and, when the members of the diet wished to interpose, the mob protected the man after its own heart, and applauded the sarcasms as to the high treason of the rich and the need of a military dictatorship as well as the mysterious hints regarding an impending insurrection of numerous peoples and kings against Rome. The spirit animating the movement is shown by the two resolutions, that all clubs should be permanent and all actions for debt should be suspended till the restoration of peace. 147. 147–146.

The Achaeans thus had war; and they had even actual allies, namely the Thebans and Boeotians and also the Chalcidians. At the beginning of 608 the Achaeans advanced into Thessaly to reduce to obedience Heraclea near Oeta, which, in accordance with the decree of the senate, had detached itself from the Achaean league. The consul Lucius 146.

BIBL. WITHDRAWN

Mummius, whom the senate had resolved to send to Greece, had not yet arrived; accordingly Metellus undertook to protect Heraclea with the Macedonian legions. When the advance of the Romans was announced to the Achaeo-Theban army, there was no more talk of fighting; they considered only how they might best succeed in reaching once more the secure Peloponnesus; in all haste the army made off, and did not even attempt to hold the position of Thermopylae. But Metellus quickened the pursuit, and overtook and defeated the Greek army near Scarpheia in Locris. The loss in prisoners and dead was considerable; Critolaus was never heard of after the battle. The remains of the defeated army wandered to and fro in single troops, and everywhere sought admission in vain; the division of Patrae was destroyed in Phocis, the Arcadian select corps at Chaeronea; all northern Greece was evacuated, and only a small portion of the Achaean army and of the citizens of Thebes, who fled in a body, reached the Peloponnesus. Metellus sought by the utmost moderation to induce the Greeks to abandon their foolish resistance, and gave orders, for example, that all the Thebans, with a single exception, should be allowed their liberty; his well-meant endeavours were thwarted not by the energy of the people, but by the desperation of the leaders apprehensive for their own safety. Diaeus, who after the fall of Critolaus had resumed the chief command, summoned all men capable of bearing arms to the isthmus, and ordered 12,000 slaves, natives of Greece, to be enrolled in the army; the rich were applied to for advances, and the ranks of the friends of peace, so far as they did not purchase their lives by bribing their tyrannical masters, were thinned by bloody prosecutions. The war accordingly was continued, and after the same style. The Achaean vanguard, which, 4000 strong, was stationed under Alcamenes at Megara, dispersed as soon as it saw the Roman standards. Metellus was just about to order an attack upon the main force on the isthmus, when the consul Lucius Mummius with a few attendants arrived at the Roman head-quarters and took the command. Meanwhile the Achaeans, emboldened by a successful attack on the too unguarded Roman outposts, offered battle to the Roman army, which was about twice as strong, at Leucopetra

on the isthmus. The Romans were not slow to accept it. At the very first the Achaean horsemen broke off *en masse* before the Roman cavalry of six times their strength; the hoplites withstood the enemy till a flank attack by the Roman select corps brought confusion into their ranks. This terminated the resistance. Diaeus fled to his home, put his wife to death, and took poison himself. All the cities submitted without opposition; and even the impregnable Corinth, into which Mummius for three days hesitated to enter because he feared an ambush, was occupied by the Romans without a blow.

Province of Achaia.

The renewed regulation of the affairs of Greece was entrusted to a commission of ten senators in concert with the consul Mummius, who left behind him on the whole a favourable reputation in the conquered country. Doubtless it was, to say the least, a foolish thing in him to assume the name of "Achaicus" on account of his feats of war and victory, and to build in the fulness of his gratitude a temple to Hercules Victor; but, as he had not been reared in aristocratic luxury and aristocratic corruption but was a "new man" and comparatively poor, he showed himself an upright and indulgent administrator. The statement, that none of the Achaeans perished but Diaeus and none of the Boeotians but Pytheas, is a rhetorical exaggeration: in Chalcis especially sad outrages occurred; but yet on the whole moderation was observed in the infliction of punishment. Mummius rejected the proposal to throw down the statues of Philopoemen, the founder of the Achaean patriotic party; the fines imposed on the communities were destined not for the Roman exchequer, but for the injured Greek cities, and were mostly remitted afterwards; and the property of those traitors who had parents or children was not sold on public account, but handed over to their relatives. The works of art alone were carried away from Corinth, Thespiae, and other cities, and were erected partly in the capital, partly in the country towns of Italy:* several pieces were also presented to the Isthmian, Delphic, and Olympic temples. In the definitive organization of the country also moderation was in general displayed. It is true that, as was implied in

* In the Sabine villages, at Parma, and even at Italica in Spain (p. 4), several pediments marked with the name of Mummius have been brought to light, which once supported gifts forming part of the spoil.

the very introduction of the provincial constitution (ii. 70), the special confederacies, and the Achaean in particular, were as such dissolved; the communities were isolated; and intercourse between them was hampered by the rule that no one might acquire landed property simultaneously in two communities. Moreover, as Flamininus had already attempted (ii. 267), the democratic constitutions of the towns were altogether set aside, and the government in each community was placed in the hands of a council composed of the wealthy. A fixed land-tax to be paid to Rome was imposed on each community; and they were all subordinated to the governor of Macedonia in such a manner that the latter, as supreme military chief, exercised a superintendence over administration and justice, and could, for example, personally assume the decision of the more important criminal processes. Yet the Greek communities retained "freedom," that is, a formal sovereignty—reduced, doubtless, by the Roman hegemony to a name—which involved the property of the soil and the right to a distinct administration and jurisdiction of their own.* Some years later not only were the old confederacies

* The question whether Greece did or did not become a Roman province in 146. 608, virtually runs into a dispute about words. It is certain that the Greek communities throughout remained "free" (*C. I. Gr.* 1543, 15; Caesar, *B. C.* iii. 4; Appian, *Mithr.* 58; Zonar. ix. 31). But it is no less certain that Greece was then "taken possession of" by the Romans (Tac. *Ann.* xiv. 21; 1 Maccab. viii. 9, 10); that thenceforth each community paid a fixed tribute to Rome (Pausan. vii. 16, 6; comp. Cic. *De Prov. Cons.* 3, 5), the little island of Gyarus, for instance, paying 150 *drachmae* annually (Strabo, x. 485); that the "rods and axes" of the Roman governor thenceforth ruled in Greece (Polyb. xxxviii. 1 *c.*; comp. Cic. *Verr. l.* i. 21, 55), and that he thenceforth exercised the superintendence over the constitutions of the cities (*C. I. Gr.* 1543), as well as in certain cases the criminal jurisdiction (*C. I. Gr.* 1543; Plut. *Cim.* 2), just as the senate had hitherto done; and that, lastly, the Macedonian provincial era was also in use in Greece. Between these facts there is no inconsistency, or at any rate none further than is involved in the position of the free cities generally, which are spoken of sometimes as if excluded from the province (*e. g.* Sueton. *Caes.*, 25; Colum. xi. 3, 26), sometimes as assigned to it (*e. g.* Joseph. *Ant. Jud.* xiv. 4, 4). The Roman domanial possessions in Greece were, no doubt, restricted to the territory of Corinth and possibly some portions of Euboea (*C. I. Gr.* 5879), and there were no subjects in the strict sense there at all; yet if we look to the relations practically subsisting between the Greek communities and the Macedonian governor, Greece may be reckoned as included in the province of Macedonia in the same manner as Massilia in the province of Narbo or Dyrrhachium in that of Macedonia. We find even cases that go much further: Cisalpine Gaul consisted after 665 of mere burgess or Latin communities and was yet made a province by Sulla, and in the time of Caesar we meet with regions which consisted exclusively of burgess-communities and yet by no means ceased to be provinces. In these cases the fundamental idea of the Roman *provincia* comes out very clearly; it was primarily nothing but a

again allowed to have a shadowy existence, but the oppressive restriction on the alienation of landed property was removed.

Destruction of Corinth.

The communities of Thebes, Chalcis, and Corinth experienced a treatment more severe. There is no ground for censure in the fact that the two former were disarmed and converted by the demolition of their walls into open villages; but the wholly uncalled-for destruction of the flourishing Corinth, the first commercial city in Greece, remains a dark stain on the annals of Rome. By express orders from the senate the Corinthian citizens were seized, and such as were not killed were sold into slavery; the city itself was not only deprived of its walls and its citadel—a measure which, if the Romans were not disposed permanently to garrison it, was certainly inevitable—but was levelled with the ground, and all rebuilding on the desolate site was prohibited in the usual forms of accursing; part of its territory was given to Sicyon under the obligation that the latter should defray the expense of the Isthmian national festival in room of Corinth, but the greater portion was declared to be public land of Rome. Thus was extinguished "the eye of Hellas," the last precious ornament of the Grecian land, once so rich in cities. If, however, we review the whole catastrophe, the impartial historian must acknowledge—what the Greeks of this period themselves candidly confessed—that the Romans were not to blame for the war itself, but that on the contrary the foolish perfidy and the feeble temerity of the Greeks compelled the Roman intervention. The abolition of the mock sovereignty of the leagues and of all the vague and pernicious dreams connected with them was a blessing for the country; and the government of the Roman commander-in-chief of Macedonia,

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"command," and all the administrative and judicial functions of the commandant were originally collateral duties and corollaries of his military position.

On the other hand, if we look to the formal sovereignty of the free communities, it must be granted that the position of Greece was not altered in point of constitutional law by the events of 608. It was a difference *de facto* rather than *de jure*, when instead of the Achaean league the individual communities of Achaia now appeared by the side of Rome as tributary protected states, and when, after the erection of Macedonia as a distinct Roman province, the latter relieved the authorities of the capital of the superintendence over the Greek client-states. Greece therefore may or may not be regarded as a part of the "command" of Macedonia, according as the practical or the formal point of view preponderates; but the former is justly reckoned as the more important.

however much it fell short of what was to be wished, was yet far better than the previous confusion and misrule of Greek confederacies and Roman commissions. The Peloponnesus ceased to be the great harbour of mercenaries; it is affirmed, and may readily be believed, that with the direct government of Rome security and prosperity in some measure returned throughout the land. The epigram of Themistocles, that ruin had averted ruin, was applied by the Hellenes of that day not altogether without reason to the loss of Greek independence. The singular indulgence, which Rome even now showed towards the Greeks, becomes fully apparent only when compared with the contemporary conduct of the same authorities towards the Spaniards and Phoenicians. To treat barbarians with cruelty seemed not unallowable, but the Romans of this period, like the emperor Trajan in later times, deemed it "harsh and barbarous to deprive Athens and Sparta of the shadow of freedom which they still retained." All the more marked is the contrast between this general moderation and the revolting treatment of Corinth—a treatment disapproved even by the apologists of the destruction of Numantia and Carthage, and far from justified, even according to Roman international law, by the abusive language uttered against the Roman deputies in the streets of Corinth. And yet it by no means proceeded from the brutality of any single individual, least of all of Mummius, but was a measure deliberated and resolved on by the Roman senate. We shall not err, if we recognize it as the work of the mercantile party, which even thus early began to interfere in politics by the side of the aristocracy proper, and which in destroying Corinth got rid of a commercial rival. If the great merchants of Rome had anything to say in the regulation of Greece, we can understand why Corinth was singled out for punishment, and why the Romans not only destroyed the city as it stood, but also prohibited any future settlement on a site so pre-eminently favourable for commerce. The Peloponnesian Argos thenceforth became the rendezvous for the Roman merchants, who were very numerous even in Greece. For the Roman wholesale traffic, however, Delos was of greater
168. importance; a Roman free port as early as 586, it had attracted a great part of the business of Rhodes (ii. 327), and

now in a similar way entered on the heritage of Corinth. This island remained for a considerable time the chief emporium for merchandise going from the East to the West.*

In the third and more distant continent the Roman dominion exhibited a development more imperfect than in the African and Macedono-Hellenic countries, which were separated from Italy only by narrow seas. Asia.

In Asia Minor, after the Seleucidae were driven back, the kingdom of Pergamus had become the first power. Not led astray by the traditions of the Alexandrine monarchies, but sagacious and dispassionate enough to renounce what was impossible, the Attalids kept quiet; and endeavoured not to extend their bounds nor to withdraw from the Roman hegemony, but to promote the prosperity of their empire, so far as the Romans allowed, and to foster the arts of peace. Nevertheless they did not escape the jealousy and suspicion of Rome. In possession of the European shore of the Propontis, of the west coast of Asia Minor, and of the interior as far as the Cappadocian and Cilician frontiers, and in close connection with the Syrian kings—one of whom, Antiochus Epiphanes (+590), had ascended the throne by the aid of the Attalids—king Eumenes II. had by his power, which seemed still more considerable from the more and more deep decline of Macedonia and Syria, instilled apprehension in the minds even of its founders. We have already related (ii. 323) how the senate sought to humble and weaken this ally after the third Macedonian war by unbecoming diplomatic artifices. The relations—perplexing from the very nature of the case—of the rulers of Pergamus towards the free or half-free commercial cities within their kingdom, and towards their barbarous neighbours on its borders, became complicated still more painfully by this ill humour on the part of their patrons. As it was not clear whether, according to the treaty of peace in 565, the heights of the Taurus in Pamphylia and Pisidia belonged to the kingdom of Syria or to that of Pergamus, Kingdom of Pergamus. 164. 189.

* A remarkable proof of this is found in the names employed to designate the fine bronze and copper wares of Greece, which in the time of Cicero were called indiscriminately "Corinthian" or "Delian" copper. Their designation in Italy was naturally derived not from the places of manufacture but from those of export (Plin. *H. N.* xxxiv. 2, 9); although, of course, we do not mean to deny that similar vases were manufactured in Corinth and Delos themselves.

the brave Selgians, nominally recognizing, as it would seem, the Syrian supremacy, made a prolonged and energetic resistance to Eumenes II. and Attalus II. in the almost inaccessible mountains of Pisidia. The Asiatic Celts also, who for a time with the permission of the Romans had yielded allegiance to Pergamus, revolted from Eumenes and, in concert with Prusias king of Bithynia the hereditary enemy of the
167. Attalids, suddenly began war against him about 587. The king had had no time to hire mercenary troops; all his skill and valour could not prevent the Celts from defeating the Asiatic militia and overrunning his territory; the peculiar mediation, to which the Romans condescended at the request of Eumenes, has already been mentioned (ii. 325). But, as soon as he had found time with the help of his well-filled exchequer to raise an army capable of taking the field, he speedily drove the wild hordes over the frontier; and, although Galatia remained lost to him, and his obstinately continued attempts to maintain his footing there were frustrated by Roman influence,* he yet, in spite of all the open attacks and secret machinations which his neighbours and the Romans
159. directed against him, at his death (about 595) left his kingdom in undiminished power. His brother Attalus II.
138. Philadelphus (+616) with Roman aid repelled the attempt of Pharnaces king of Pontus to seize the guardianship of

* Several letters recently brought to light (Münchener Sitzungsberichte, 1860, p. 180 *et seq.*) from the kings Eumenes II. and Attalus II. to the priest of Pessinus, who was uniformly called Attis (comp. Polyb. xxii. 20), very clearly illustrate these relations. The earliest of these and the only one with a date, written in the 34th year of the reign of Eumenes on the 7th day before the end of Gorpiaeus, and therefore in 590-1
164–163. B. C., offers to the priest military aid in order to wrest from the Pesongians (not otherwise known) a holy place occupied by them; the following, likewise from Eumenes, exhibits the king as a party in the feud between the priest of Pessinus and his brother Aiorix. Beyond doubt both acts of Eumenes were included among those which were reported at Rome in 590 *et seq.* as attempts on his
164. part to interfere further in Gallic affairs, and to support his partisans in that quarter (Polyb. xxxi. 6, 9; xxxii. 3, 5). On the other hand it is plain from one of the letters of his successor Attalus that the times had changed and his wishes had lowered their tone. The priest Attis appears to have at a conference at Apamea obtained once more from Attalus the promise of armed assistance; but afterwards the king writes to him that in a state council held for the purpose, at which Athenaeus (certainly the known brother of the king), Sosander, Menogenes, Chlorus, and other relatives (ἀναγκαῖοι) had been present, after long hesitation the majority had at length acceded to the opinion of Chlorus that nothing should be done without previously consulting the Romans; for, even if success were obtained, they would expose themselves to its forfeiture and to the evil suspicion "which they had cherished also against his brother" (Eumenes II.).

Eumenes' son who was a minor, and reigned in the room of his nephew, like Antigonus Doson, as guardian for life. Adroit, able, pliant, a genuine Attalid, he had the art to convince the suspicious senate that the apprehensions which it had formerly cherished were baseless. The anti-Roman party accused him of applying himself to keep the land for the Romans, and of acquiescing in every insult and exaction at their hands; but, sure of Roman protection, he was able to interfere decisively in the disputes as to the succession in Syria, Cappadocia, and Bithynia. Even in the dangerous Bithynian war, which king Prusias II., surnamed the Hunter (572?-605), a ruler who combined in his own person all the vices of barbarism and of civilization, began against him, Roman intervention saved him—although not until he had been himself besieged in his capital, and a first warning given by the Romans had remained unattended to and had even been scoffed at by Prusias (598–600). But, when his ward Attalus III. Philometor ascended the throne (616-621), the peaceful and moderate rule of the citizen kings was replaced by the tyranny of an Asiatic sultan. The new king for instance, with a view to rid himself of the inconvenient counsel of his father's friends, assembled them in the palace, and ordered his mercenaries to put to death first them, and then their wives and children. Along with such recreations he wrote treatises on gardening, cultivated poisonous plants, and prepared wax models, till a sudden death carried him off. 182–149. 156–154. 138–133.

With him the house of the Attalids became extinct. In such an event, according to the constitutional law which held good at least for the client-states of Rome, the last ruler might dispose of the succession by testament. Whether it was the insane rancour against his subjects which had tormented the last Attalid during life that now suggested to him the thought of bequeathing his kingdom by will to the Romans, or whether his doing so was merely a further recognition of the practical supremacy of Rome, cannot be determined. The testament was made; the Romans accepted the bequest, and the question as to the land and the treasure of the Attalids threw a new apple of contention among the conflicting political parties in Rome. Province of Asia.

In Asia also this royal testament kindled a civil war.

War against Aristonicus.

Relying on the aversion of the Asiatics to the foreign rule which awaited them, Aristonicus, a natural son of Eumenes II., made his appearance in Leucae, a small seaport between Smyrna and Phocaea, as a pretender to the crown. Phocaea and other towns joined him, but he was defeated at sea off Cyme by the Ephesians who saw that a steady adherence to Rome was the only possible way of preserving their privileges, and was obliged to flee into the interior. The movement was believed to have died away when he suddenly reappeared at the head of the new "citizens of the city of the sun," * in other words, of the slaves whom he had called to freedom *en masse*, mastered the Lydian towns of Thyatira and Apollonis as well as a portion of the Attalic townships, and summoned bands of Thracian free-lances to join his standard. The struggle was serious. There were no Roman troops in Asia; the Asiatic free cities and the contingents of the client-princes of Bithynia, Paphlagonia, Cappadocia, Pontus, Armenia, could not withstand the pretender; he penetrated by force of arms into Colophon, Samos, and Myndus, and already ruled over almost all his father's
131. kingdom, when at the close of 623 a Roman army landed in Asia. Its commander, the consul and *pontifex maximus* Publius Licinius Crassus Mucianus, one of the wealthiest and at the same time one of the most cultivated men in Rome, equally distinguished as an orator and as a jurist, was about to besiege the pretender in Leucae, but during his preparations for that purpose allowed himself to be surprised and defeated by his too much undervalued opponent, and was made a prisoner in person by a Thracian band. But he did not allow such an enemy the triumph of exhibiting the Roman commander-in-chief as a captive; he provoked the barbarians, who had captured him without knowing who he was, to put him to death (beginning of
130. 624), and the consular was only recognised when a corpse. With him, as it would seem, fell Ariarathes king of Cappadocia. But not long after this victory Aristonicus was

* These strange "Heliopolites" may, according to the probable view which a friend has expressed to me, be accounted for by supposing that the liberated slaves constituted themselves citizens of a town Heliopolis not otherwise mentioned or perhaps having an existence merely in imagination, which derived its name from the God of the Sun so highly honoured in Syria.

attacked by Marcus Perpenna, the successor of Crassus; his army was dispersed, he himself was besieged and taken prisoner in Stratonicea, and was soon afterwards executed in Rome. The subjugation of the last towns that still offered resistance and the definitive regulation of the country were committed, after the sudden death of Perpenna, to Manius Aquillius (625). The same policy was followed as in the case of the Carthaginian territory. The eastern portion of the kingdom of the Attalids was assigned to the client kings, so as to release the Romans from the defence of the frontier and thereby from the necessity of maintaining a standing force in Asia; Telmissus (ii. 292) went to the Lycian confederacy; the European possessions in Thrace were annexed to the province of Macedonia; the rest of the territory was organized as a new Roman province, which like that of Carthage was, not without design, designated by the name of the continent in which it lay. The land was released from the taxes which had been paid to Pergamus; and it was treated with the same moderation as Hellas and Macedonia. Thus the most considerable state in Asia Minor became a Roman province. 129.

The numerous other small states and cities of western Asia—the kingdom of Bithynia, the Paphlagonian and Gallic principalities, the Lycian, Carian, and Pamphylian confederacies, the free cities of Cyzicus and Rhodes—continued in their former circumscribed relations. Western Asia.

Beyond the Halys Cappadocia—after king Ariarathes V. Philopator (591–624) had, chiefly by the aid of the Attalids, held his ground against his brother and rival Holophernes who was supported by Syria—followed substantially the Pergamene policy, as respected both absolute devotion to Rome and the tendency to adopt Hellenic culture. He was the means of introducing that culture into the hitherto almost barbarous Cappadocia, and along with it its extravagancies also, such as the worship of Bacchus and the dissolute practices of the bands of wandering actors—the "artists" as they were called. In reward for the fidelity to Rome which had cost this prince his life in the struggle with the Pergamene pretender, his youthful heir Ariarathes VI. was not only protected by the Romans against the usurpation Cappadocia. 163–130.

attempted by the king of Pontus, but received also the south-eastern part of the kingdom of the Attalids, Lycaonia, along with the district bordering on it to the eastward and in earlier times included in Cilicia.

Pontus.

In the remote north-east of Asia Minor "Cappadocia on the sea," or more briefly the "maritime state," Pontus, increased in extent and importance. Not long after the battle of Magnesia king Pharnaces I. had extended his dominion far beyond the Halys to Tius on the frontier of Bithynia, and in particular had possessed himself of the rich Sinope, which was converted from a Greek free city into the residence of the kings of Pontus. The neighbouring states endangered by these encroachments, with king Eumenes II. at their head, had on that account waged war against him (571–575), and under Roman mediation had exacted from him a promise to evacuate Galatia and Paphlagonia; but the course of events shows that Pharnaces as well as his successor Mithradates V. Euergetes (598?–634), faithful allies of Rome in the third Punic war as well as in the struggle with Aristonicus, not only remained in possession beyond the Halys, but also virtually retained the protectorate over the Paphlagonian and Galatian dynasts. This hypothesis alone serves to explain how Mithradates, ostensibly for his brave deeds in the war against Aristonicus, but in reality for considerable sums paid to the Roman general, came to receive Great Phrygia from the latter after the dissolution of the Attalid kingdom. How far on the other hand the kingdom of Pontus about this time extended in the direction of the Caucasus and the sources of the Euphrates, cannot be precisely determined; but it seems to have embraced the western part of Armenia about Enderes and Diwirigi, or what was called Lesser Armenia, as a dependent satrapy, while the Greater Armenia and Sophene formed distinct and independent kingdoms.

183–179.

156–120.

Syria and Egypt.

While in the peninsula of Asia Minor Rome thus substantially conducted the government and, although various things were done without or in opposition to her wishes, yet determined on the whole the state [illegible] tracts on the other hand beyond the [illegible] Euphrates as far down as the valley [illegible]

to be mainly left to themselves. No doubt the principle on which the peace of 565 with Syria was based, viz., that the Halys and the Taurus should form the eastern boundary of the Roman dependencies (ii. 293), was not adhered to by the senate and was in its very nature untenable. The political horizon rests on illusion as well as the physical; if the state of Syria had the number of ships of war and war-elephants allowed to it prescribed in the treaty of peace (ii. 291), and if the Syrian army evacuated Egypt when half-won at the bidding of the Roman senate (ii. 328), these things implied the most complete recognition of hegemony and dependence. Accordingly the disputes as to the throne in Syria and in Egypt were referred for settlement to the Roman government. In the former after the death of Antiochus Epiphanes (590) Demetrius afterwards named Soter, the son of Seleucus IV., living as a hostage at Rome, and Antiochus Eupator, a minor, the son of the last king Antiochus Epiphanes, contended for the crown; in the latter Ptolemy Philometor (573–608), the elder of the two brothers who had reigned jointly since 584, had been driven from the country (590) by the younger Ptolemy Euergetes II. or the Fat (+637), and had appeared in person at Rome to obtain his restoration. Both affairs were arranged by the senate entirely through diplomatic agency, and substantially in accordance with Roman advantage. In Syria Demetrius, who had the better title, was set aside, and Antiochus Eupator was recognised as king; while the guardianship of the royal boy was entrusted by the senate to the Roman senator Gnaeus Octavius, who, as was to be expected, governed thoroughly in the interest of Rome, reduced the war-marine and the army of elephants agreeably to the treaty of 565, and was in the fair way of completing the military ruin of the country. In Egypt not only was the restoration of Philometor accomplished, but—partly in order to put an end to the quarrel between the brothers, partly in order to weaken the still considerable power of Egypt—Cyrene was separated from that kingdom and assigned as a provision for Euergetes. "The Romans make kings of those whom they choose," a Jew wrote not long after this, "and whom they do not choose they drive away from their country and their people." But

189. 164. 181–146. 170. 164. 117. 189.

this was the last occasion—for a long time—on which the Roman senate came forward in the affairs of the East with that ability and energy which it had uniformly displayed in the complications with Philip, Antiochus, and Perseus. Though the internal decline of the government was late in affecting the treatment of foreign affairs, yet it did affect them at length. The government became unsteady and vacillating; they allowed the reins which they had just grasped to slacken and almost to slip from their hands. The guardian-regent of Syria was murdered at Laodicea; the rejected pretender Demetrius escaped from Rome and, setting aside the youthful prince, seized the government of his ancestral kingdom under the bold pretext that the Roman senate had fully
162. empowered him to do so (592). Soon afterwards war broke out between the kings of Egypt and Cyrene respecting the possession of the island of Cyprus, which the senate had assigned first to the elder, then to the younger; and in opposition to the most recent Roman decision it finally remained with Egypt. Thus the decrees of the Roman government, in the plenitude of its power and during the most profound inward and outward peace at home, were derided by the impotent kings of the East; its name was abused, its ward and its commissioner were murdered. Seventy years before, when the Illyrians had in a similar way laid hands on Roman envoys, the senate of that day had erected a monument to the victim in the market-place, and had with an army and fleet called the murderers to account. The senate of this period likewise ordered a monument to be raised to Gnaeus Octavius, as ancestral custom prescribed; but instead of embarking troops for Syria they recognized Demetrius as king of the land. They were forsooth now so powerful, that it seemed superfluous to guard their own honour. In like manner not only was Cyprus retained by Egypt in spite of the decree of the senate to the contrary,
146. but, when after the death of Philometor (608) Euergetes succeeded him and so reunited the divided kingdom, the senate allowed this also to take place without opposition.

India. Bactria. After such occurrences the Roman influence in these countries was practically destroyed, and events pursued their course there for the present without the help of the Romans;

but it is necessary for the right understanding of the sequel that we should not wholly omit to notice the history of the nearer, and even of the remoter, East. While in Egypt, shut off as it is on all sides, the *status quo* did not so easily admit of change, in Asia both to the west and east of the Euphrates the peoples and states underwent essential modifications during, and partly in consequence of, this temporary suspension of the Roman superintendence. Beyond the great desert of Iran there had arisen not long after Alexander the Great the kingdom of Palimbothra under Chandragupta (Sandracottus) on the Indus, and the powerful Bactrian state on the upper Oxus, both formed from a mixture of national elements with the most eastern offshoots of Hellenic civilisation.

Decline of the kingdom of Asia.

To the west of these began the kingdom of Asia, which, although diminished under Antiochus the Great, still stretched its unwieldy bulk from the Hellespont to the Median and Persian provinces, and embraced the whole basin of the Euphrates and Tigris. That king had still carried his arms beyond the desert into the territory of the Parthians and Bactrians; it was only under him that the vast state had begun to melt away. Not only had western Asia been lost in consequence of the battle of Magnesia; the total emancipation of the two Cappadocias and the two Armenias—Armenia proper in the north-east and the region of Sophene in the south-west—and their conversion from principalities dependent on Syria into independent kingdoms also belong to this period (ii. 291). Of these states Great Armenia in particular, under the Artaxiads, soon attained to a considerable position. Wounds perhaps still more dangerous were inflicted on the empire by the foolish levelling policy of his successor Antiochus Epiphanes (579 590). 175–164. Although it was true that his kingdom resembled an aggregation of countries rather than a single state, and that the differences of nationality and religion among his subjects placed the most material obstacles in the way of the government, yet the plan of introducing throughout his dominions Hellenico-Roman manners and Hellenico-Roman worship and of equalizing the various peoples in a political as well as a religious point of view was under any circumstances

an absurdity; and all the more so from the fact, that this caricatured Joseph II. was personally far from equal to so gigantic an enterprise, and introduced his reforms in the very worst way by plundering temples on the greatest scale and insanely persecuting heretics.

The Jews.

One consequence of this policy was, that the inhabitants of the province next to the Egyptian frontier, the Jews, a people formerly submissive even to humility and extremely active and industrious, were driven by systematic
167. religious persecution to open revolt (about 587). The matter came to the senate; and, as it was just at that time with good reason indignant at Demetrius Soter and apprehensive of a combination between the Attalids and Seleucids, while the establishment of a power intermediate between Syria and Egypt was at any rate for the interest of Rome, it made no difficulty in at once recognizing the freedom and
161. autonomy of the insurgent nation (about 593). Nothing, however, was done by Rome for the Jews except what could be done without personal exertion: in spite of the clause of the treaty concluded between the Romans and the Jews which promised Roman aid to the latter in the event of their being attacked, and in spite of the injunction addressed to the kings of Syria and Egypt not to march their troops through Judaea, it was of course entirely left to the Jews themselves to hold their ground against the Syrian kings. The brave and prudent conduct of the insurrection by the heroic house of the Maccabees and the internal dissension in the Syrian empire did more for them than the letters of their powerful allies; during the strife between the Syrian kings Trypho and Demetrius Nicator autonomy and exemption
142. from tribute were formally accorded to the Jews (612); and soon afterwards the head of the Maccabaean house, Simon son of Mattathias, was even formally acknowledged by the nation as well as by the great king of Syria as high priest
139. and prince of Israel (615).*

Of still more importance in the sequel than this insurrec-

* From him proceed the coins with the inscription "Shekel of Israel," and the date of the "holy Jerusalem," or the "deliverance of Sion." The similar coins with the name of Simon, the prince (Nessi) of Israel, belong not to him, but to Bar-Cochba the leader of the insurgents in the time of Hadrian.

tion of the Israelites was the contemporary movement—probably originating from the same cause—in the eastern provinces, where Antiochus Epiphanes emptied the temples of the Persian gods just as he had emptied that at Jerusalem, and doubtless accorded no better treatment to the adherents of Ahuramazda and Mithra than to those of Jehovah. Just as in Judaea—only with a wider range and ampler proportions—the result was a reaction on the part of the native manners and the native religion against Hellenism and the Hellenic gods; the promoters of this movement were the Parthians, and out of it arose the great Parthian empire. The "Parthwa," or Parthians, who are early met with as one of the numerous tribes merged in the great Persian empire, living first of all in the modern Khorasan to the south-east of the Caspian sea, appear after 500 as an independent state under the Scythian, *i. e.* Turanian, dynasty of the Arsacidae. This state, however, only emerged from its obscurity about a century afterwards. The sixth Arsaces, Mithradates I. (579?–618?), was the real founder of the great Parthian power. The Bactrian empire, in itself far more powerful, but already shaken to the very foundation partly by hostilities with the hordes of Scythian horsemen from Turan and with the states of the Indus, partly by internal disorders, succumbed to him. He achieved almost equal successes in the countries to the west of the great desert. The Syrian empire was just then in the utmost disorganization, partly through the failure of the Hellenizing attempts of Antiochus Epiphanes, partly through the troubles as to the succession that occurred after his death; and the provinces of the interior were in full course of breaking off from Antioch and the region of the coast. In Commagene for instance, the most northerly province of Syria on the Cappadocian frontier, the satrap Ptolemaeus asserted his independence, as did also on the opposite bank of the Euphrates the prince of Edessa in northern Mesopotamia or the province of Osroene, and the satrap Timarchus in the important province of Media; in fact the latter got his independence confirmed by the Roman senate, and, supported by Armenia as his ally, ruled as far down as Seleucia on the Tigris. Disorders of this sort were permanent

The Parthian empire.

250.

175–136.

features of the Asiatic empire: the provinces under their partially or wholly independent satraps were in continual revolt, as was also the capital, with its insubordinate and refractory populace resembling that of Rome or Alexandria. The whole pack of neighbouring kings—those of Egypt, Armenia, Cappadocia, Pergamus—incessantly interfered in the affairs of Syria and fostered disputes as to the succession, so that civil war and the division of the sovereignty *de facto* among two or more pretenders became almost standing calamities of the country. The Roman protecting power, if it did not instigate these neighbours, was an inactive spectator. In addition to all this the new Parthian empire from the eastward pressed hard on the aliens not merely with its material power, but with the whole superiority of its national language and religion and of its national military and political organization. This is not yet the place for a description of the revived empire of Cyrus; it is sufficient to mention generally the fact that powerful as was the influence of Hellenism in its composition, the Parthian state, as compared with that of the Seleucidae, was based on a national and religious reaction, and that the old Iranian language, the order of the Magi and the worship of Mithra, the oriental feudal constitution, the cavalry of the desert and the bow and arrow, first emerged there in renewed and triumphant opposition to Hellenism. The position of the kings of Syria in presence of all this was really pitiable. The family of the Seleucidae was by no means so enervated as that of the Lagidae for instance, and some of them were not deficient in valour and ability: they reduced, it may be, one or another of those numerous rebels, pretenders, and intermeddlers to order; but their dominion had so little of a firm foundation that it was unable to impose even a temporary check on anarchy. The result was inevitable. The eastern provinces of Syria under their unprotected or even insurgent satraps fell into subjection to the Parthians; Persia, Babylonia, Media were for ever severed from the Syrian empire; the new state of the Parthians reached on both sides of the great desert from the Oxus and the Hindoo Coosh to the Tigris and the desert of Arabia—once more, like the Persian empire and all the older great states of Asia,

a pure continental monarchy, and once more, just like the Persian empire, engaged in perpetual feud on the one side with the peoples of Turan, on the other with the Occidentals. The Syrian state embraced at the most Mesopotamia in addition to the region of the coast, and disappeared, more in consequence of its internal disorganization than of its diminished size, for ever from the ranks of the great states. If the danger—which was repeatedly imminent—of a total subjugation of the land by the Parthians was averted, that result must be ascribed not to the resistance of the last Seleucidae and still less to the influence of Rome, but rather to the manifold internal disturbances in the Parthian empire itself, and above all to the incursions of the peoples of the Turanian steppes into its eastern provinces.

Reaction of the East against the West.

This revolution in the relations of the peoples in the interior of Asia is the turning-point in the history of antiquity. The tide of national movement, which had hitherto poured from the west to the east and had found in Alexander the Great its last and highest expression, was followed by the ebb. On the establishment of the Parthian state not only were such Hellenic elements as may still perhaps have been preserved in Bactria and along the Indus lost, but western Iran also relapsed into the track which had been abandoned for centuries but still was not yet obliterated. The Roman senate sacrificed the first essential result of the policy of Alexander, and thereby paved the way for that retrograde movement, whose last offshoots ended in the Alhambra of Granada and in the great Mosque of Constantinople. So long as the country from Ragae and Persepolis to the Mediterranean obeyed the king of Antioch, the power of Rome extended to the border of the great desert; the Parthian state could never take its place among the dependencies of the Mediterranean empire, not because it was so very powerful, but because it had its centre far from the coast in the interior of Asia. Since the time of Alexander the world had obeyed the Occidentals alone, and the East seemed to be for these merely what America and Australia afterwards became for the Europeans. With Mithradates I.

the East re-entered the sphere of political movement. The world had again two masters.

Maritime relations.

It remains that we glance at the maritime relations of this period; although there is hardly anything to be said, except that there no longer existed anywhere a naval power. Carthage was annihilated; the war-fleet of Syria was destroyed in accordance with the treaty; the war-marine of Egypt, once so powerful, was under its present indolent rulers in deep decay. The minor states, and particularly the mercantile cities, had doubtless some armed transports; but these were not even adequate for the task—so difficult in the Mediterranean—of repressing piracy. This task necessarily devolved on Rome as the leading power in the Mediterranean. While a century previously the Romans had come forward in this matter with especial and salutary vigour, and had in particular introduced their supremacy in the East by a maritime police energetically handled for the general good (ii. 77), the complete nullity of this police at the very beginning of this period is a distinct indication of the fearfully rapid decline of the aristocratic government. Rome no longer possessed a fleet of her own; she was content to make requisitions for ships, when it seemed necessary, from the maritime towns of Italy, Asia Minor, and elsewhere. The consequence naturally was, that buccaneering became organized and consolidated. Something, perhaps, though not enough, was done towards its suppression, so far as the direct power of the Romans extended, in the Adriatic and Tyrrhene seas. The expeditions directed against the Dalmatian and Ligurian coasts at this epoch aimed more especially at the suppression of piracy in the two Italian seas; for the same reason the Balearic islands were occupied in 631 (p. 20). But in the Mauretanian and Greek waters the inhabitants along the coast and the mariners were left to settle matters with the corsairs in one way or another, as they best could; for Roman policy adhered to the principle of troubling itself as little as possible about these more remote regions. The disorganized and bankrupt commonwealths in the states along the coast thus left to themselves naturally became places of refuge for the

Piracy.

123.

corsairs; and there was no want of such, more especially in Asia.

A bad pre-eminence in this respect belonged to Crete, which, from its favourable situation and the weakness or laxity of the great states of the West and East, was the only one of all the Greek settlements that had preserved its independence. Roman commissioners doubtless came and went to the island, but accomplished still less there than they did even in Syria and Egypt. It seemed almost as if fate had left liberty to the Cretans only in order to show what was the result of Hellenic independence. It was a dreadful picture. The old Doric rigour of the Cretan institutions had become just as in Tarentum changed into a licentious democracy, and the chivalrous spirit of the inhabitants into a wild love of quarrelling and plunder; a respectable Greek himself testifies, that in Crete alone nothing was accounted disgraceful that was lucrative, and even the Apostle Paul quotes with approval the saying of a Cretan poet, Crete.

Κρῆτες ἀεὶ ψεῦσται, κακὰ θηρία, γαστέρες ἀργαί.

Perpetual civil wars, notwithstanding the Roman efforts to bring about peace, converted one flourishing township after another on the old "island of the hundred cities" into heaps of ruins. Its inhabitants roamed as robbers at home and abroad, by land and by sea; the island became the recruiting ground for the surrounding kingdoms after that evil was no longer tolerated in the Peloponnesus, and above all the true seat of piracy; about this period, for instance, the island of Siphnus was thoroughly pillaged by a fleet of Cretan corsairs. Rhodes — which, besides, was unable to recover from the loss of its possessions on the mainland and from the blows inflicted on its commerce (ii. 327) — expended its last energies in the wars which it found itself compelled to wage against the Cretans for the suppression of piracy (about 600), and in which the Romans sought to mediate, 150. but without earnestness and apparently without success.

Along with Crete, Cilicia soon began to become a second Cilicia. home for this buccaneering system. Piracy there not only gained ground owing to the impotence of the Syrian rulers, but the usurper Diodotus Tryphon, who had risen from a slave

146–139. to be king of Syria (608–615), encouraged it by all means in its chief seat, the rugged or western Cilicia, with a view to strengthen his throne by the aid of the corsairs. The uncommonly lucrative character of the traffic with the pirates, who were at once the principal captors of, and dealers in, slaves, procured for them among the mercantile public, even in Alexandria, Rhodes, and Delos, a certain toleration, in which the very governments sympathized at least by inaction. The
143. evil was so serious that the senate, about 611, sent its best man Scipio Aemilianus to Alexandria and Syria, in order to ascertain on the spot what could be done with it. But diplomatic representations by the Romans did not make weak governments strong; there was no other remedy but that of directly maintaining a fleet in these waters, and for this the Roman government lacked energy and perseverance. So all things just remained on the old footing; the piratic fleet was the only considerable naval power in the Mediterranean; the capture of men was the only trade that flourished there. The Roman government was an onlooker; but the Roman merchants, as the best customers in the slave market, kept up an active and friendly traffic with the pirate captains, as the most important wholesale dealers in that commodity, at Delos and elsewhere.

General result. We have followed the transformation of the outward relations of Rome and the Romano-Hellenic world generally in its leading outlines, from the battle of Pydna to the period of the Gracchi, from the Tagus and the Bagradas to the Nile and the Euphrates. It was a great and difficult problem which Rome undertook, when she undertook to govern this Romano-Hellenic world; it was not wholly misunderstood, but it was by no means solved. The untenableness of the idea of Cato's time—that the state should be limited to Italy, and that its rule beyond Italy should be only a protectorate—was doubtless discerned by the leading men of the following generation; and the necessity of substituting for this protectorate a direct sovereignty of Rome, that should preserve the liberties of the communities, was doubtless recognized. But instead of carrying out this new arrangement firmly, speedily, and uniformly, they annexed isolated provinces just as convenience, caprice, collateral advantage, or

accident led them to do so; whereas the greater portion of the dependent states either remained in the intolerable uncertainty of their former position, or even, as was the case with Syria especially, withdrew entirely from the influence of Rome. And even the government itself degenerated more and more into a feeble and short-sighted selfishness. They were content with governing from one day to another, and merely transacting the current business as exigency required. They were stern masters towards the weak. When the free city of Mylasa in Caria sent to Publius Crassus, consul in 623, a beam for the construction of a battering-ram different from what he had asked, the chief magistrate of the town was scourged for it; and Crassus was not a bad man, and a strictly upright magistrate. On the other hand sternness was wanting in those cases where it would have been in place, as in dealing with the barbarians on the frontiers and the pirates. When the central government renounced all superintendence and all oversight of provincial affairs, it entirely abandoned not only the interests of the subjects, but also those of the state, to the governor of the day. The events which occurred in Spain, unimportant in themselves, are instructive in this respect. In that country, where the government was less able than in other provinces to confine itself to the part of a mere onlooker, the law of nations was directly trampled under foot by the Roman governors; and the honour of Rome was permanently dragged in the mire by a perfidy and faithlessness without parallel, by the most wanton trifling with capitulations and treaties, by massacring people who had submitted and instigating the assassination of the generals of the enemy. Nor was this all; war was even waged and peace concluded against the expressed will of the supreme authority in Rome, and unimportant incidents, such as the disobedience of the Numantines, were developed by a rare combination of perversity and folly into a crisis of fatal moment for the state. And all this took place without any effort to visit it with even a serious penalty in Rome. The sympathies and rivalries of the different coteries in the senate contributed to determine the filling up of the most important places and the treatment of the most momentous political questions; and even

131.

thus early the money of foreign dynasts found its way to the senators of Rome. Timarchus, the envoy of Antiochus Epi-
164. phanes king of Syria (+590), is mentioned as the first who attempted with success to bribe the Roman senate; the bestowal of presents from foreign kings on influential senators soon became so common, that surprise was excited when Scipio Aemilianus cast into the military chest the gifts from the king of Syria which reached him in camp before Numantia. The ancient principle, that rule was its own sole reward and that such rule was as much a duty and a burden as a privilege and a benefit, was allowed to fall wholly into abeyance. Thus there arose the new political economy which desisted from the taxation of the burgesses, but regarded the body of subjects, on the other hand, as a profitable possession of the community, which it partly worked out for the public benefit, partly handed over to be worked out by the burgesses. Not only was free scope allowed with criminal indulgence to the unscrupulous greed of the Roman merchant in the provincial administration, but even the commercial rivals who were disagreeable to him were cleared away by the armies of the state, and the most glorious cities of neighbouring lands were sacrificed, not to the barbarism of the lust of power, but to the far more horrible barbarism of speculation. By the ruin of the earlier military organization, which certainly imposed heavy burdens on the burgesses, the state, which was solely dependent in the last resort on its military superiority, undermined its own support. The fleet was allowed to go to ruin; the system of land warfare fell into the most incredible decay. The duty of guarding the Asiatic and African frontiers was devolved on the subjects; and what could not be so devolved, such as the defence of the frontier in Italy, Macedonia, and Spain, was managed after the most wretched fashion. The better classes began to disappear so much from the army, that it was already difficult to raise the necessary number of officers for the Spanish armies. The daily increasing aversion to the Spanish war-service in particular, combined with the partiality shown by the magistrates in the levy, rendered it
152. necessary in 602 to abandon the old practice of leaving the selection of the requisite number of soldiers from the men

liable to serve to the free discretion of the officers, and to substitute for it a drawing of the necessary number by ballot, —certainly not to the advantage of the military *esprit de corps*, or of the warlike efficiency of the individual divisions. The authorities, instead of acting with vigour and strictness, extended their pitiful flattery of the people even to this field; whenever a consul in the discharge of his duty instituted rigorous levies for the Spanish service, the tribunes made use of their constitutional right to arrest him (603, 616); and it has been already observed, that Scipio's request that he should be allowed a levy for the Numantine war was directly rejected by the senate. Accordingly the Roman armies before Carthage or Numantia already remind one of those Syrian armies, in which the number of bakers, cooks, actors, and other non-combatants exceeded fourfold that of the so-called soldiers; already the Roman generals are little behind their Carthaginian colleagues in the art of destroying armies, and the wars in Africa as in Spain, in Macedonia as in Asia, are regularly opened with defeats; the murder of Gnaeus Octavius is now passed over in silence; the assassination of Viriathus is now a masterpiece of Roman diplomacy; the conquest of Numantia is now a great achievement. How completely the idea of national and manly honour was already lost among the Romans, was shown with epigrammatic point by the statue of the stripped and bound Mancinus, which he himself, proud of his patriotic devotedness, caused to be erected in Rome. Wherever we turn our eyes, we find the internal energy as well as the external power of Rome rapidly on the decline. The ground won in gigantic struggles is not extended, nor in fact even maintained, in this period of peace. The government of the world, difficult in the attainment, was still more difficult in the preservation; the Roman senate had mastered the former task, but it broke down under the latter.

151. 138.

CHAPTER II.

THE REFORM MOVEMENT AND TIBERIUS GRACCHUS.

The Roman government before the period of the Gracchi.

For a whole generation after the battle of Pydna the Roman state enjoyed a profound calm, scarcely varied by a ripple here and there on the surface. Its dominion extended over the three continents; the lustre of the Roman power and the glory of the Roman name were constantly on the increase; all eyes rested on Italy, all talents and all riches flowed thither; it seemed as if a golden age of peaceful prosperity and intellectual enjoyment of life could not but there begin. The Orientals of this period told each other with astonishment of the mighty republic of the West, "which subdued kingdoms far and near, so that everyone who heard its name trembled; but which kept good faith with its friends and clients. Such was the glory of the Romans, and yet no one usurped the crown and no one glittered in purple dress; but they obeyed whomsoever from year to year they made their master, and there was among them neither envy nor discord."

Spread of decay.

So it seemed at a distance; matters wore a different aspect on a closer view. The government of the aristocracy was in full train to destroy its own work. Not that the sons and grandsons of the vanquished at Cannae and the victors of Zama had so utterly degenerated from their fathers and grandfathers; the difference was not so much in the men who now sat in the senate as in the times. Where a limited number of old families of established wealth and hereditary political importance conducts the government, it will display in seasons of danger an incomparable tenacity of purpose and power of heroic self-sacrifice, just as in seasons of tranquillity it will be short-sighted, selfish, and negligent—the germs of both results are essentially involved in its heredi-

tary and collegiate character. The morbid matter had been long in existence, but it needed the sun of prosperity to develop it. There was a profound meaning in the question of Cato, "What was to become of Rome when she should no longer have any state to fear?" That point had now been reached. Every neighbour whom she might have feared was politically annihilated; and of the men who had been reared under the old order of things in the severe school of the Hannibalic war, and whose words still sounded as echoes of that mighty epoch so long as they survived, death called one after another away, till at length the voice of the last of them, the veteran Cato, ceased to be heard in the senate-house and in the Forum. A younger generation came to the helm, and their policy was a sorry answer to that question of the veteran patriot. We have already spoken of the shape which the government of the subjects and the external policy of Rome assumed in their hands. In internal affairs they were, if possible, still more disposed to let the ship drive before the wind: if we understand by internal government more than the transaction of current business, there was at this period no government in Rome at all. The single leading thought of the governing corporation was the maintenance and, if possible, the increase of their usurped privileges. It was not the state that had a title to get the right and best man for its supreme magistracy; but every member of the coterie had an inborn title to the highest office of the state—a title not to be prejudiced by the unfair rivalry of his peers or by the encroachments of the excluded. Accordingly the clique proposed to itself, as its most important political aim, the restriction of re-election to the consulship and the exclusion of "new men;" and in fact it succeeded in obtaining the legal prohibition of the former about 603,* and contented itself with a government 165.

* In 537 the law restricting re-election to the consulship was suspended during the continuance of the war in Italy, that is, down to 551 (ii. 343; Liv. xxvii. 6). But after the death of Marcellus in 546 re-elections to the consulship, if we do not include the abdicating consuls of 592, only occurred in the years 547, 554, 560, 579, 585, 586, 591, 596, 599, 602; consequently not oftener in those fifty-six years than, for instance, in the ten years 401–410. Only one of these, and that the very last, took place in violation of the ten years' interval (i. 345); and beyond doubt the singular election of Marcus Marcellus who was consul in 588 and 599 to a third consulship in 602, with the special circumstances of which

of aristocratic nobodies. Even the inaction of the government in its outward relations was doubtless connected with this policy of the nobility, exclusive towards commoners, and distrustful towards the individual members of their own order. By no surer means could they keep commoners, whose deeds were their patent of nobility, aloof from the pure circles of the aristocracy than by giving no opportunity to any one to perform deeds at all; to the existing government of general mediocrity even an aristocratic conqueror of Syria or Egypt would have proved extremely inconvenient.

Attempts at reform. Permanent criminal commissions.

It is true that now also there was no want of opposition, and it was even to a certain extent effectual. The administration of justice was improved. The administrative jurisdiction, which the senate exercised either personally or by extraordinary commissions, as occasion required, over the provincial magistrates, was confessedly inadequate. It was an innovation with a momentous bearing on the whole
149. public life of the Roman community, when in 605, on the proposal of Lucius Calpurnius Piso, a standing senatorial commission (*quaestio ordinaria*) was instituted to try in judicial form the complaints of the provincials regarding the
Vote by ballot. extortion of their Roman magistrates. An effort was made to emancipate the comitia from the preponderating influence of the aristocracy. The panacea of Roman democracy was vote by ballot in the assemblies of the burgesses, which was introduced first for the elections of magistrates by the
139. Gabinian law (615), then for the public tribunals by the
137. Cassian law (617), lastly for the voting on legislative pro-
131. posals by the Papirian law (623). In a similar way soon
129. afterwards (about 625) the senators were by decree of the people enjoined to surrender their public horse on admission to the senate, and thereby to renounce their privilege of voting in the eighteen equestrian centuries (ii. 339). These measures, directed to the emancipation of the electors from the ruling aristocratic order, may perhaps have seemed to the party which suggested them the first steps towards a regeneration of the state; in fact they made not the slightest

Exclusion of the senators from the equestrian centuries.

we are not acquainted, gave occasion to the law prohibiting re-election to the consulship altogether (Liv. *Ep.* 56); especially as this proposal must have been introduced before 605, seeing that it was supported by Cato (p. 55, Jordan).

change in the nullity and want of freedom of the legally supreme organ of the Roman community; indeed that nullity was only the more palpably evinced to all whom it did or did not concern. Equally ostentatious and equally empty was the formal recognition accorded to the independence and sovereignty of the burgesses by the transference of their place of assembly from the old Comitium below the senate-house to the Forum (about 609).

145. The public elections.

But this hostility between the formal sovereignty of the people and the practically subsisting constitution was in great part a semblance. Party phrases were in free circulation: of the parties themselves there was little trace in matters really and directly practical. Throughout the whole seventh century the annual public elections to the civil magistracies, especially to the consulship and censorship, formed the real standing question of the day and the focus of political agitation; but it was only in isolated and rare instances that the different candidates represented opposite political principles; ordinarily the question related purely to persons, and it was for the course of affairs a matter of indifference whether the majority of the votes fell to a Caecilian or to a Cornelian. The Romans thus lacked that which outweighs and compensates all the evils of party-life—the free and common movement of the masses towards what they discern as a befitting aim—and yet endured all those evils solely for the benefit of the paltry game of the ruling coteries. It was comparatively easy for the Roman noble to enter on the career of office as quaestor or tribune of the people; but the consulship and the censorship were attainable by him only through great exertions prolonged for years. The prizes were many, but those really worth having were few; the competitors ran, as a Roman poet once said, as it were over a race-course wide at the starting-point but gradually narrowing its dimensions. This was right, so long as the magistracy was—what it was called—an "honour" and men of military, political, or juristic ability were rival competitors for the rare chaplets; but now the practical exclusiveness of the nobility did away with the benefit of competition, and left only its disadvantages. With few exceptions the young men belonging to the ruling families crowded into the

political career, and their impetuous and premature ambition soon caught at means more effective than useful action for the public good. The first requisite for a public career came to be powerful connections; and therefore that career began, not as formerly in the camp, but in the ante-chambers of influential men. A new and genteel body of clients now undertook—what had formerly been done only by dependents and freedmen—to come and wait on their patron early in the morning, and to appear publicly in his train. But the populace also was a great lord, and desired as such to receive attention. The rabble began to demand as its right that the future consul should recognize and honour the sovereign people in every ragged idler of the street, and that every candidate should in his "going round" (*ambitus*) salute every individual voter by name and press his hand. The world of quality readily entered into this degrading canvass. The true candidate cringed not only in the palace, but also on the street, and recommended himself to the multitude by flattering attentions, indulgences, and civilities more or less refined. Demagogism and the cry for reforms were sedulously employed to attract the notice and favour of the public; and they were the more effective, the more they attacked not things but persons. It became the custom for beardless youths of genteel birth to introduce themselves with *éclat* into public life by playing afresh the part of Cato with the immature passion of their boyish eloquence, and by constituting and proclaiming themselves state-prosecutors, if possible, against some man of very high standing and very great unpopularity; the Romans suffered the grave institutions of criminal justice and of political police to become a means of soliciting office. The provision or, what was still worse, the promise of magnificent popular amusements had long been the, as it were legal, prerequisite to the obtaining of the consulship (ii. 366); now the votes of the electors began to be directly purchased with money, as is shown by
159. the prohibition issued against this about 595. Perhaps the worst consequence of the continual courting of the favour of the multitude by the ruling aristocracy was the incompatibility of such a begging and fawning part with the position which the government should rightfully occupy in

relation to the governed. The government was thus converted from a blessing into a curse for the people. They no longer ventured to dispose of the property and blood of the burgesses, as exigency required, for the good of their country. They allowed the burgesses to become habituated to the dangerous idea that they were legally exempt from the payment of direct taxes even by way of advance—after the war with Perseus no further advance was asked from the community. They allowed their military system to decay rather than compel the burgesses to enter the odious transmarine service; how it fared with the individual magistrates who attempted to carry out the conscription according to the strict letter of the law, has already been related (p. 73).

Optimates and Populares.

In the Rome of this epoch the two evils of a degenerate oligarchy and a democracy still undeveloped but already cankered in the bud were interwoven in a manner pregnant with fatal results. According to their party names, which were first heard during this period, the "Optimates" wished to give effect to the will of the best, the "Populares" to that of the community; but in fact there was in the Rome of that day neither a true aristocracy nor a truly self-determining community. Both parties contended alike for shadows, and numbered in their ranks none but enthusiasts or hypocrites. Both were equally affected by political corruption, and both were in fact equally worthless. Both were necessarily tied down to the *status quo*, for neither on the one side nor on the other was there found any political idea—to say nothing of any political plan—reaching beyond the existing state of things; and accordingly the two parties were so entirely in agreement that they met at every step as respected both means and ends, and a change of party was a change of political tactics more than of political sentiments. The commonwealth would beyond doubt have been a gainer, if either the aristocracy had directly introduced a hereditary rotation instead of election by the burgesses, or the democracy had produced from within it a real demagogic government. But these Optimates and these Populares of the beginning of the seventh century were far too indispensable for each other to wage such internecine war; they not only could not destroy each other, but, even if they had been

able to do so, they would not have been willing. Meanwhile the commonwealth was politically and morally more and more unhinged, and was verging towards utter disorganization.

Social crisis.

The crisis with which the Roman revolution was opened arose not out of this paltry political conflict, but out of the economic and social relations which the Roman government allowed, like everything else, simply to take their course, and which thus found opportunity to bring the morbid matter, that had been long fermenting, without hindrance and with fearful rapidity and violence, to maturity. From a very early period the Roman economy was based on the two factors—always in quest of each other, and always at variance—the husbandry of the small farmer and the money of the capitalist. The latter in the closest alliance with landholding on a great scale had already for centuries waged against the farmer-class a war, which seemed as though it could not but terminate in the destruction first of the farmers and thereafter of the whole commonwealth, but was broken off without being properly decided in consequence of the successful wars and the comprehensive and ample distribution of domains for which these wars gave facilities. It has already been shown (ii. 394–400) that in the same age, which renewed the distinction between patricians and plebeians under altered names, the disproportionate accumulation of capital was preparing a second assault on the farming system. It is true that the method was different. Formerly the small farmer had been ruined by advances of money, which practically reduced him to be the mere steward of his creditor; now he was crushed by the competition of transmarine, and especially of slave-grown, corn. The capitalists kept pace with the times; capital, while waging war against labour or in other words against the liberty of the person, of course as it had always done under the strictest form of law, waged it no longer in the unseemly fashion which converted the free man on account of debt into a slave, but, on the contrary, with slaves regularly bought and paid; the former usurer of the capital appeared in a shape conformable to the times as the owner of industrial plantations. But the ultimate result was in both cases the same—the depreciation of the Italian farms; the supplanting of the petty husbandry, first

in a part of the provinces and then in Italy, by the farming of large estates; the prevailing tendency to devote the latter in Italy to the rearing of cattle and the culture of the olive and vine; finally, the replacing of the free labourers in the provinces as in Italy by slaves. Just as the nobility was more dangerous than the patriciate, because the former could not like the latter be set aside by a change of the constitution; so this new power of capital was more dangerous than that of the fourth and fifth centuries, because nothing could be done to oppose it by changes in the law of the land.

Slavery and its consequences.

Before we attempt to describe the course of this second great conflict between labour and capital, it is necessary to give here some indication of the nature and extent of the system of slavery. We have not now to do with the old, in some measure innocent, rural slavery, under which the farmer either tilled the field along with his slave, or, if he possessed more land than he could manage, placed the slave—either as steward or as a sort of lessee obliged to render up a portion of the produce—over a detached farm (i. 212). Such relations no doubt existed at all times—around Comum, for instance, they were still the rule in the time of the empire—but as exceptional features in privileged districts and on humanely managed estates. What we now refer to is the system of slavery on a great scale, which in the Roman state, as formerly in the Carthaginian, grew out of the ascendancy of capital. While the captives taken in war and the hereditary transmission of slavery sufficed to keep up the stock of slaves during the earlier period, this system of slavery was, just like that of America, based on the methodically prosecuted hunting of man; for, owing to the manner in which slaves were used with little regard to their life or propagation, the slave population was constantly on the wane, and even the wars which were always furnishing fresh masses to the slave market were not sufficient to cover the deficit. No country where this species of game could be hunted remained exempt from visitation; even in Italy it was a thing by no means unheard of, that the poor freeman was placed by his employer among the slaves. But the Negroland of

that period was western Asia,* where the Cretan and Cilician corsairs, the real professional slave-hunters and slave-dealers, robbed the coasts of Syria and the Greek islands; and where, emulating their feats, the Roman revenue-farmers instituted human hunts in the client states and incorporated those whom they captured among their slaves. This was
100. done to such an extent, that about 650 the king of Bithynia declared himself unable to furnish the required contingent, because all the people capable of labour had been dragged off from his kingdom by the revenue-farmers. At the great slave market in Delos, where the slave-dealers of Asia Minor disposed of their wares to Italian speculators, on one day as many as 10,000 slaves are said to have been disembarked in the morning and to have been all sold before evening—a proof at once how enormous was the number of slaves delivered, and how, notwithstanding, the demand still exceeded the supply. It was no wonder. Already in describing the Roman economy of the sixth century we have explained that it was based, like all the great dealings of antiquity generally, on the employment of slaves (ii. 388 *et seq.* 403). In whatever direction speculation applied itself, its instrument was invariably man reduced in law to the status of a beast of burden. Trades were in great part carried on by slaves, so that the proceeds belonged to the master. The levying of the public revenues in the lower departments was regularly conducted by the slaves of the associations that leased them. Servile hands performed the operations of mining, making pitch, and others of a similar kind; it became early the custom to send herds of slaves to the Spanish mines, whose superintendents readily received them and paid a high rent for them. The vine and olive harvest in Italy was not conducted by the people on the estate, but was contracted for by a slave-owner. The tending of cattle was universally performed by slaves. We have already mentioned the armed, and frequently mounted, slave-herdsmen in the great pastoral districts of Italy (ii. 394); and the same sort of pastoral husbandry soon became in

* It was asserted even then, that the human race in that quarter was pre-eminently fitted for slavery by its especial power of endurance. Plautus (*Trin.* 542) commends the Syrians: *genus quod patientissimum est hominum.*

the provinces also a favourite object of Roman speculation—Dalmatia, for instance, was hardly acquired (599) when the Roman capitalists began to prosecute the rearing of cattle there on a great scale after the Italian fashion. But far worse in every respect was the plantation-system proper—the cultivation of the fields by a band of slaves not unfrequently branded with iron, who with shackles on their legs performed the labours of the field under overseers during the day, and were locked up together by night in the common, frequently subterranean, labourers' prison. This plantation-system had migrated from the East to Carthage (ii. 9), and seems to have been brought by the Carthaginians to Sicily, where, probably for this reason, it appears developed earlier and more fully than in any other part of the Roman dominions.* We find the territory of Leontini, about 30,000 *iugera* of arable land, which was let on lease as Roman domain (ii. 157) by the censors, divided some *decennia* after the time of the Gracchi among not more than 84 lessees, to each of whom there thus fell on an average 360 *iugera*, and among whom only one was a Leontine; the rest were foreign, mostly Roman, speculators. We see from this instance with what zeal the Roman speculators there walked in the footsteps of their predecessors, and what extensive dealings in Sicilian cattle and Sicilian slave-corn must have been carried on by the Roman and non-Roman speculators who covered the beautiful island with their pastures and plantations. Italy however still remained for the present substantially exempt from this worst form of slave-husbandry. Although in Etruria, where the plantation-system seems to have first emerged in Italy, and where it existed most extensively at any rate forty years afterwards, it is extremely probable that even now *ergastula* were not wanting; yet Italian agriculture at this epoch was still chiefly carried on by free persons or at any rate by unchained slaves, while the greater labours were frequently let out to contractors. The difference between Italian and 155.

* The hybrid Greek name for the workhouse (*ergastulum*, from ἐργάζομαι, after the analogy of *stabulum*, *operculum*) is an indication that this mode of husbandry came to the Romans from a region where the Greek language was used, but at a period when a thorough Hellenic culture was not yet attained.

Sicilian slavery is very clearly apparent from the fact, that the slaves of the Mamertine community, which lived after the Italian fashion, were the only slaves who did not take part in the Sicilian servile revolt of 619–622.

135–132.

The abyss of misery and woe, which opens before our eyes in this most miserable of all proletariates, we leave to be fathomed by those who venture to gaze into such depths; it is very possible that, compared with the sufferings of the Roman slaves, the sum of all Negro suffering is but a drop. Here we are not so much concerned with the hardships of the slaves themselves as with the perils which they brought upon the Roman state, and with the conduct of the government in confronting them. It is plain that this proletariate was not called into existence by the government and could not be directly set aside by it; this could only have been accomplished by remedies which would have been still worse than the disease. The duty of the government was simply, on the one hand, to avert the direct danger to property and life, with which the slave-proletariate threatened the members of the state, by an earnest system of precautionary police; and on the other hand, to aim at the restriction of the proletariate, as far as possible, by the elevation of free labour. Let us see how the Roman aristocracy executed these two tasks.

Insurrections of the slaves.

The servile conspiracies and servile wars, breaking out everywhere, illustrate their management as respects police. In Italy the scenes of disorder, which were among the immediate painful consequences of the Hannibalic war (ii. 416), seemed now to be renewed; all at once the Romans were obliged to seize and execute in the capital 150, in Minturnae 450, in Sinuessa even 4000 slaves (621). Still worse, as may be conceived, was the state of the provinces. At the great slave-market at Delos and in the Attic silver-mines about the same period the revolted slaves had to be put down by force of arms. The war against Aristonicus and his "Heliopolites" in Asia Minor was in substance a war of the landholders against the revolted slaves (p. 58). But worst of all, of course, was the condition of Sicily, the chosen land of the plantation system. Brigandage had long been a standing evil there, especially in the interior; it began to swell into insurrection. Damophilus, a wealthy planter of Enna (Castrogiovanni), who

133.

The first Sicilian slave war.

emulated the Italian lords in the industrial investment of his living capital, was attacked and murdered by his exasperated rural slaves; whereupon the savage band flocked into the town of Enna, and there repeated the same process on a greater scale. The slaves rose in a body against their masters, killed or enslaved them, and summoned to the head of the already considerable insurgent army a juggler from Apamea in Syria who knew how to vomit fire and utter oracles, formerly as a slave named Eunus, now as chief of the insurgents styled Antiochus king of the Syrians. And why not? A few years before another Syrian slave, who was not even a prophet, had in Antioch itself worn the royal diadem of the Seleucidae (p. 69). The Greek slave Achaeus, the brave "general" of the new king, traversed the island, and not only did the wild herdsmen flock from far and near to the strange standards, but the free labourers also, who bore no goodwill to the planters, made common cause with the revolted slaves. In another district of Sicily Cleon, a Cilician slave, formerly in his native land a daring bandit, followed the example which had been set and occupied Agrigentum; and, when the leaders came to a mutual understanding, after gaining various minor advantages they succeeded in at last totally defeating the praetor Lucius Hypsaeus in person and his army, consisting mostly of Sicilian militia, and in capturing his camp. By this means almost the whole island came into the power of the insurgents, whose numbers, according to the most moderate estimates, are alleged to have amounted to 70,000 men capable of bearing arms. The Romans found themselves compelled for three successive years (620–622) to despatch consuls 134–132.
and consular armies to Sicily, till, after several undecided and even some unfavourable conflicts, the revolt was at length subdued by the capture of Tauromenium and of Enna. The most resolute men of the insurgents threw themselves into the latter town, in order to hold their ground in that impregnable position with the determination of men who despair of deliverance or of pardon; the consuls Lucius Calpurnius Piso and Publius Rupilius lay before it for two years, and reduced it at last more by famine than by arms.*

* Even now there are not unfrequently found in front of Castrogiovanni, at the point where the ascent is least abrupt, Roman projectiles with the name of the consul of 621: *L. Piso L. f. cos.* 133.

These were the results of the preventive police system, as it was handled by the Roman senate and its officials in Italy and the provinces. While the task of getting quit of the proletariate demands and only too often transcends the whole power and wisdom of a government, its repression by measures of police on the other hand is for any larger commonwealth comparatively easy. It would be well with states, if the unpropertied masses threatened them with no other danger than that with which they are menaced by bears and wolves; only the timid and those who trade upon the silly fears of the multitude prophesy the destruction of civil order through servile revolts or insurrections of the proletariate. But even to this easier task of restraining the oppressed masses the Roman government was by no means equal, notwithstanding the profound peace and the inexhaustible resources of the state. This was a sign of its weakness; but not of its weakness alone. By right the Roman governor was bound to keep the highways clear and to have the robbers who were caught crucified, if they were slaves; and that as a matter of course, for slavery is not possible without a reign of terror. At this period in Sicily a razzia was occasionally doubtless set on foot by the governor, when the roads became too insecure; but, in order not to disoblige the Italian planters, the captured robbers were ordinarily given up by the authorities to their masters to be punished at their discretion; and those masters were frugal people who, if their slave-herdsmen asked clothes, replied with stripes and with the inquiry whether travellers journeyed through the land naked. The consequence of such connivance accordingly was, that on the subjugation of the slave-revolt the consul Publius Rupilius ordered all that came into his hands alive—it is said upwards of 20,000 men—to be crucified. It was in truth no longer possible to show indulgence to capital.

The Italian farmers.

The care of the government for the elevation of free labour, and by consequence for the restriction of the slave-proletariate, promised fruits far more difficult to be gained but also far more valuable. Unfortunately, in this respect there was nothing done at all. In the first social crisis the landlord had been enjoined by law to employ a number of free labourers proportioned to the number of his slave labourers (i. 326).

Now at the suggestion of the government a Punic treatise on agriculture (ii. 20), doubtless giving instructions in the system of planting after the Carthaginian mode, was translated into Latin for the use and benefit of Italian speculators—the first and only instance of a literary undertaking suggested by the Roman senate! The same tendency showed itself in a more important matter, or to speak more correctly in the vital question for Rome—the system of colonization. It needed no special wisdom, but merely a recollection of the course of the first social crisis in Rome, to perceive that the only real remedy against an agricultural proletariate consisted in a comprehensive and regular system of emigration (i. 335); for which the external relations of Rome offered the most favourable opportunity. Until nearly the close of the sixth century, in fact, the continuous diminution of the small landholders of Italy was counteracted by the continuous establishment of new farm-allotments (ii. 372). This, it is true, was by no means done to the extent to which it might and should have been done; not only was the domain-land occupied from ancient times by private persons (i. 296) not recalled, but further occupations of newly won land were permitted; and other very important acquisitions, such as the territory of Capua, while not abandoned to occupation, were yet not subjected to distribution, but were let on lease as usufructuary domains. Nevertheless the assignation of land had operated beneficially—giving help to many of the sufferers and hope to all. But after the founding of Luna (577) no trace of further 177.
assignations of land is to be met with for a long time, with the exception of the isolated institution of the Picenian colony of Auximum (Osimo) in 597. The reason is simple. After 157.
the conquest of the Boii and Apuani no new territory was acquired in Italy excepting the far from attractive Ligurian valleys; therefore no other land existed for distribution there except the leased or occupied domain-land, the laying hands on which was, as may easily be conceived, just as little agreeable to the aristocracy now as it was three hundred years before. The distribution of the territory acquired out of Italy appeared for political reasons inadmissible; Italy was to remain the ruling country, and the wall of partition between the Italian masters and their provincial servants was not to

be broken down. Unless the government were willing to set aside considerations of higher policy or even the interests of their order, no course was left to them but to remain spectators of the ruin of the Italian farmer-class; and this result accordingly ensued. The capitalists continued to buy out the small landholders, or indeed, if they remained obstinate, to seize their fields without title of purchase; in which case, as may be supposed, matters were not always amicably settled. A peculiarly favourite method was to eject the wife and children of the farmer from the homestead, while he was in the field, and to bring him to compliance by means of the theory of "accomplished fact." The landlords continued mainly to employ slaves instead of free labourers, because the former could not like the latter be called away to military service; and thus reduced the free proletariate to the same level of misery with the slaves. They continued to supersede Italian grain in the market of the capital, and to lessen its value over the whole peninsula, by selling Sicilian slave-corn at a mere nominal price. In Etruria the old native aristocracy in league
134. with the Roman capitalists had as early as 620 brought matters to such a pass, that there was no longer a free farmer there. It could be said aloud in the market of the capital, that the beasts had their lairs but nothing was left to the burgesses save the air and sunshine, and that those who were styled the masters of the world had no longer a clod that they could call their own. The census lists of the Roman burgesses furnished the commentary on these words. From the
159. end of the Hannibalic war down to 595 the numbers of the burgesses were steadily on the increase, the cause of which is mainly to be sought in the continuous and considerable distri-
159. butions of domain-land (ii. 416): after 595 again, when the census yielded 328,000 burgesses capable of bearing arms,
154. there appears a regular falling off, for the list in 600 stood at
147. 131. 324,000, that in 607 at 322,000, that in 623 at 319,000 burgesses fit for service—an alarming result for a period of profound peace at home and abroad. If matters were to go on at this rate, the burgess-body would resolve itself into planters and slaves; and the Roman state might at length, as was the case with the Parthians, purchase its soldiers in the slave-market.

Ideas of reform. Such was the external and internal condition of Rome,

when the state entered on the seventh century of its existence. Wherever the eye turned, it encountered abuses and decay; the question could not but force itself on every sagacious and well-disposed man, whether this state of things were not capable of remedy or amendment. There was no want of such men in Rome; but no one seemed more called to the great work of political and social reform than Publius Cornelius Scipio Aemilianus Africanus (570-625), the favourite son of Aemilius Paullus and the adopted grandson of the great Scipio, whose glorious surname of Africanus he bore by virtue not merely of hereditary but of personal right. Like his father, he was a man temperate and thoroughly healthy, never ailing in body, and never at a loss to decide on the immediate and necessary course of action. Even in his youth he had kept aloof from the usual occupations of political novices—the attending in the antechambers of leading senators and the delivery of forensic declamations. On the other hand he loved the chase—when a youth of seventeen, after having served with distinction under his father in the campaign against Perseus, he had asked as his reward the free range of the deer forest of the kings of Macedonia which had been untouched for four years—and he was especially fond of devoting his leisure to scientific and literary enjoyment. By the care of his father he had been early initiated into that genuine Greek culture, which elevated him above the insipid Hellenizing of the semi-culture commonly in vogue; by his earnest and apt appreciation of the good and bad qualities in the Greek character, and by his aristocratic carriage, this Roman made an impression on the courts of the East and even on the scoffing Alexandrians. His Hellenism was especially recognizable in the delicate irony of his discourse and in the classic purity of his Latin. Although not strictly an author, he yet, like Cato, committed to writing his political speeches—they were, like the letters of his adopted sister the mother of the Gracchi, esteemed by the later *litteratores* as masterpieces of model prose—and took pleasure in surrounding himself with the better Greek and Roman *litterati*, a plebeian society which was doubtless regarded with no small suspicion by those colleagues in the senate whose noble birth was their sole distinction. A man

Scipio Aemilianus. 184–129.

morally steadfast and trustworthy, his word held good with friend and foe; he avoided buildings and speculations, and lived with simplicity; while in money matters he acted not merely honourably and disinterestedly, but also with a tenderness and liberality which seemed singular to the mercantile spirit of his contemporaries. He was an able soldier and officer; he brought home from the African war the honorary wreath which was wont to be conferred on those who saved the lives of citizens in danger at the peril of their own, and terminated as general the war which he had begun as an officer; circumstances gave him no opportunity of trying his skill as a general on tasks really difficult. Scipio was not, any more than his father, a man of genius—as is indicated by the very fact of his predilection for Xenophon, the sober soldier and correct author—but he was an honest and true man, who seemed pre-eminently called to stem the incipient decay by organic reforms. All the more significant is the fact that he did not attempt it. It is true that he helped, as he had means and opportunity, to redress or prevent abuses, and laboured in particular at the improvement of the administration of justice. It was chiefly by his assistance that Lucius Cassius, an able man of the old Roman austerity and uprightness, was enabled to carry against the most vehement opposition of the Optimates his law as to voting, which introduced vote by ballot for those popular tribunals which still embraced the most important part of the criminal jurisdiction (p. 76). In like manner, although he had not chosen to take part in boyish impeachments, he himself in his mature years put upon their trial several of the guiltiest of the aristocracy. In a like spirit, when commanding before Carthage and Numantia, he drove forth the women and priests to the gates of the camp, and subjected the rabble of soldiers once more to the iron yoke of the old military dis-
142. cipline; and when censor (612), he cleared away the smooth-chinned coxcombs among the world of quality and in earnest language urged the citizens to adhere more faithfully to the honest customs of their fathers. But no one, and least of all he himself, could fail to see that increased stringency in the administration of justice and isolated interference were not even first steps towards the healing of the organic evils under

which the state laboured. These Scipio did not touch. Gaius Laelius (consul in 614), Scipio's elder friend and his political instructor and confidant, had conceived the plan of proposing the confiscation of the Italian domain-land which had not been given away but had been temporarily occupied, and of giving relief by its distribution to the visibly decaying Italian farmers; but he desisted from the project when he saw what a storm he was going to raise, and was thenceforth named the "Judicious." Scipio was of the same opinion. He was fully persuaded of the greatness of the evil, and with a courage deserving of honour he without respect of persons remorselessly assailed it and carried his point, where he risked himself alone; but he was also persuaded that the country could only be relieved at the price of a revolution similar to that which in the fourth and fifth centuries had sprung out of the question of reform, and, rightly or wrongly, the remedy seemed to him worse than the disease. So with the small circle of his friends he held a middle position between the aristocrats, who never forgave him for his advocacy of the Cassian law, and the democrats, whom he neither satisfied nor wished to satisfy; solitary during his life, praised after his death by both parties, now as the champion of the aristocracy, now as the promoter of reform. Down to his time the censors on laying down their office had called upon the gods to grant greater power and glory to the state: the censor Scipio prayed that they might deign to preserve the state. His whole confession of faith lies in that painful exclamation. 140.

Tiberius Gracchus.

But where the man who had twice led the Roman army from deep disorganization to victory despaired, a youth without achievements had the boldness to give himself forth as the saviour of Italy. He was called Tiberius Sempronius Gracchus (591-621). His father who bore the same name (consul in 577, 591; censor in 585), was the true model of a Roman aristocrat. The brilliant magnificence of his aedilician games, not produced without oppressing the dependent communities, had drawn upon him the severe and deserved censure of the senate (ii. 358); his interference in the pitiful process directed against the Scipios who were personally 163–133.

{177. 163. 169.

hostile to him (ii. 301) gave proof of his chivalrous feeling, and perhaps of his regard for his own order; and his energetic action against the freedmen in his censorship (ii. 376) evinced his conservative disposition. As governor, moreover, of the province of the Ebro (ii. 224), by his bravery and above all by his integrity he rendered a permanent service to his country, and at the same time raised to himself in the hearts of the subject nation an enduring monument of reverence and affection.

His mother Cornelia was the daughter of the conqueror of Zama, who, simply on account of that generous intervention, had chosen his former opponent as a son-in-law; she herself was a highly cultivated and notable woman, who after the death of her much older husband had refused the hand of the king of Egypt and reared her three surviving children in memory of her husband and her father. Tiberius, the elder of the two sons, was of a good and moral disposition, of gentle aspect and quiet temper, apparently fitted for anything rather than for an agitator of the masses. In all his relations and views he belonged to the Scipionic circle, whose refined and thorough culture, Greek and national, he and his brother and sister shared. Scipio Aemilianus was at once his cousin and his sister's husband; under him Tiberius, at the age of eighteen, had taken part in the storming of Carthage, and had by his valour acquired the commendation of the stern general and warlike distinctions. It was natural that the able young man should adopt and develop, with all the vivacity and all the rigorous precision of youth, the views as to the pervading decay of the state which were prevalent in that circle, and more especially their ideas as to the elevation of the Italian farmers. Nor was it to the young men alone that the shrinking of Laelius from the execution of his ideas of reform seemed to be not judicious, but weak. Appius Claudius, who had already been
143. 136. consul (611) and censor (618), one of the most respected men in the senate, censured the Scipionic circle for having so soon abandoned the scheme of distributing the domain-lands with all the passionate vehemence which was the hereditary characteristic of the Claudian house; and with the greater bitterness, apparently because he had come into personal conflict with Scipio Aemilianus in his candidature for the

censorship. Similar views were expressed by Publius Crassus Mucianus (p. 58), the *pontifex maximus* of the day, who was held in universal honour by the senate and the citizens as a man and a jurist. Even his brother Publius Mucius Scaevola, the founder of scientific jurisprudence in Rome, seemed not averse to the plan of reform; and his voice was of the greater weight, as he stood in some measure aloof from party. Similar were the sentiments of Quintus Metellus, the conqueror of Macedonia and of the Achaeans, but respected not so much on account of his warlike deeds as because he was a model of the old discipline and manners alike in his domestic and his public life. Tiberius Gracchus was closely connected with these men, particularly with Appius whose daughter he had married, and with Mucianus whose daughter was married to his brother. It was no wonder that he cherished the idea of resuming in person the scheme of reform, so soon as he should find himself in a position which would constitutionally allow him the initiative. Personal motives may have strengthened this resolution. The treaty of peace which Mancinus concluded with the Numantines in 617, was in substance the work of Gracchus (p. 16); the 137.
recollection that the senate had cancelled it, that the general had been on its account surrendered to the enemy, and that Gracchus with the other superior officers had only escaped a like fate through the greater favour which he enjoyed among the burgesses, could not put the young, upright, and proud man in better humour with the ruling aristocracy. The Hellenic rhetoricians with whom he was fond of discussing philosophy and politics, Diophanes of Mytilene and Gaius Blossius of Cumae, nourished within his soul the ideals over which he brooded: when his intentions became known in wider circles, there was no want of approving voices, and many a public placard summoned the grandson of Africanus to think of the poor people and the deliverance of Italy.

Tiberius Gracchus was invested with the tribunate of the people on the 10th of December, 620. The fearful consequences of the previous misgovernment, the political, military, economic, and moral decay of the burgesses, were just at that time naked and open to the eyes of all. Of the two

Tribunate of Gracchus. [134.

consuls of this year one fought without success in Sicily against the revolted slaves, and the other, Scipio Aemilianus, was employed for months not in conquering, but in crushing a small Spanish country town. If Gracchus still needed a special summons to carry his resolution into effect, he found it in this state of matters which filled the mind of every patriot with unspeakable anxiety. His father-in-law promised assistance in counsel and action; the support of the jurist Scaevola, who had shortly before been elected consul for 621, might be hoped for. So Gracchus, immediately after entering on office, proposed the enactment of an agrarian law, which in a certain sense was nothing but a renewal of the Licinio-Sextian law of 387 (i. 326). Under it all the state-lands which were occupied and enjoyed by the possessors without remuneration—those that were let on lease, such as the territory of Capua, were not affected by the law—were to be resumed on behalf of the state; but with the restriction, that each occupier should reserve for himself 500 *iugera* and for each son 250 (so as not, however, to exceed 1000 *iugera* in all) in permanent and guaranteed possession, or should be entitled to claim compensation in land to that extent. Indemnification appears to have been granted for any improvements executed by the former holders, such as buildings and plantations. The domain-land thus resumed was to be broken up into lots of 30 *iugera*; and these were to be distributed partly to burgesses, partly to Italian allies, not as their own free property, but as inalienable heritable leaseholds, whose holders bound themselves to use the land for agriculture and to pay a moderate rent to the state. A *collegium* of three men, who were regarded as ordinary and standing magistrates of the state and were annually elected by the assembly of the people, was entrusted with the work of resumption and distribution; to which was afterwards added the important and difficult function of legally settling what was domain-land and what was private property. The distribution was accordingly designed to go on continuously, and to embrace the whole class that should be in need of it; and in that view we must probably assume that, when the Italian domains which were very extensive and difficult of adjustment should be finally regulated, farther measures were

133. His agrarian law. 367.

contemplated, such as, for instance, the disbursement to the allotment-commissioners of a definite sum annually from the public chest for the purchase of Italian lands for distribution. The new features in the Sempronian agrarian law, as compared with the Licinio-Sextian, were, first, the clause in favour of the hereditary possessors; secondly, the leasehold and inalienable tenure proposed for the new allotments; thirdly and especially, the permanent executive, the want of which under the older law had been the chief reason why it had remained without lasting practical application.

War was thus declared against the great landholders, who now, as three centuries ago, found substantially their organ in the senate; and once more, after a long interval, a single magistrate stood forth in earnest opposition to the aristocratic government. It took up the conflict in the mode sanctioned by use and wont for such cases of paralyzing the excesses of the magistrates by means of the magistracy itself (i. 346). A colleague of Gracchus, Marcus Octavius, a resolute man who was seriously persuaded of the objectionable character of the proposed domain law, interposed his veto when it was about to be put to the vote; a step, the constitutional effect of which was to set aside the proposal. Gracchus in his turn suspended the business of the state and the administration of justice, and placed his seal on the public chest. The government acquiesced—it was inconvenient, but the year would draw to an end. Gracchus, in perplexity, brought his law to the vote a second time. Octavius of course repeated his veto; and to the urgent entreaty of his colleague and former friend, that he would not obstruct the salvation of Italy, he might reply that on that very question, as to how Italy could be saved, opinions differed, but that his constitutional right to use his veto against the proposal of his colleague was beyond all doubt. The senate now made an attempt to open up to Gracchus a tolerable retreat; two consulars challenged him to discuss the matter further in the senate house, and the tribune entered into the scheme with zeal. He sought to construe this proposal as implying that the senate had conceded the principle of distributing the domain-land; but neither was this implied in it, nor was the senate at all disposed to yield in the matter;

the discussions ended without any result. Constitutional means were exhausted. In earlier times under such circumstances men were not indisposed to let the proposal go to sleep for the moment, and to take it up again in each successive year, till the earnestness of the demand and the pressure of public opinion overbore resistance. Now things were carried with a higher hand. Gracchus seemed to himself to have reached the point when he must either wholly renounce his reform or begin a revolution. He chose the latter course; for he came before the burgesses with the declaration that either he or Octavius must retire from the college, and suggested to Octavius that a vote of the burgesses should be taken as to which of them they wished to dismiss. Deposition from office was, according to the Roman constitution, a constitutional impossibility; Octavius naturally refused to consent to a proposal insulting to the laws and to himself. Then Gracchus broke off the discussion with his colleague, and turned to the assembled multitude with the question whether a tribune of the people, who acted in opposition to the people, had not forfeited his office; and the assembly, long accustomed to agree to all proposals presented to it, and for the most part composed of the agricultural proletariate which had flocked in from the country and was personally interested in the carrying of the law, gave almost unanimously an affirmative answer. Marcus Octavius was at the bidding of Gracchus removed by the lictors from the tribunes' bench; and then, amidst universal rejoicing, the agrarian law was carried and the first allotment-commissioners were nominated. The votes fell on the author of the law along with his brother Gaius, who was only twenty years of age, and his father-in-law Appius Claudius. Such a family-selection augmented the indignation of the aristocracy. When the new magistrates applied as usual to the senate to obtain the moneys for their equipment and for their daily allowance, the former was refused, and a daily allowance was assigned to them of 24 *asses* (1 shilling). The feud spread daily more and more, and became more envenomed and more personal. The difficult and intricate task of defining, confiscating, and distributing the domains carried strife into

every burgess-community, and even into the allied Italian towns.

Further plans of Gracchus.

The aristocracy made no secret that, while they would acquiesce perhaps in the law because they could not do otherwise, the officious legislator should not escape their vengeance; and the announcement of Quintus Pompeius, that he would impeach Gracchus on the very day of his resigning his tribunate, was far from being the worst of the threats thrown out against the tribune. Gracchus believed, probably with reason, that his personal safety was imperilled, and no longer appeared in the Forum without a retinue of 3,000 or 4,000 men—a step which drew down on him bitter expressions in the senate, even from Metellus who was not averse to reform in itself. Altogether, if he had expected to reach the end by the carrying of his agrarian law, he had now to learn that he was only at the beginning. The "people" owed him gratitude; but he was a lost man, if he had no farther protection than this gratitude of the people, if he did not continue indispensable to them and did not constantly attach to himself fresh interests and hopes by means of other and more comprehensive proposals. Just at that time the kingdom and wealth of the Attalids had fallen to the Romans by the testament of the last king of Pergamus (57); Gracchus proposed to the people that the Pergamene treasure should be distributed among the new landholders for the procuring of the requisite implements and stock, and vindicated generally, in opposition to the existing practice, the right of the burgesses to decide definitively as to the new province. He is said to have prepared farther popular measures, for shortening the period of service, for extending the right of appeal, for abolishing the exclusive privilege of the senators to act as civil jurymen, and even for the admission of the Italian allies to Roman citizenship. How far his projects in reality reached, cannot be ascertained; this alone is certain, that Gracchus saw that his only safety lay in inducing the burgesses to confer on him for a second year the office which protected him, and that, with a view to obtain this unconstitutional prolongation, he held forth a prospect of further reforms. If at first he had risked himself in order to save the commonwealth, he was

now obliged to put the commonwealth at stake in order to his own safety.

He solicits re-election to the tribunate.

The tribes met to elect the tribunes for the ensuing year, and the first divisions gave their votes for Gracchus; but the opposite party in the end prevailed with their veto so far at least that the assembly broke up without having accomplished its object, and the decision was postponed to the following day. For this day Gracchus put in motion all means legitimate and illegitimate; he appeared to the people dressed in mourning, and commended to them his youthful son; anticipating that the election would once more be disturbed by the veto, he made provision for expelling the adherents of the aristocracy by force from the place of assembly in front of the Capitoline temple. So the second day of election came on; the votes fell as on the preceding day, and again the veto was exercised; the tumult began. The burgesses dispersed; the elective assembly was practically dissolved; the Capitoline temple was closed; it was rumoured in the city, now that Tiberius had deposed all the tribunes, now that he had resolved to continue his magistracy without re-election.

Death of Gracchus.

The senate assembled in the temple of Fidelity, close by the temple of Jupiter; the bitterest opponents of Gracchus were the speakers in the sitting; when Tiberius moved his hand towards his forehead to signify to the people amidst the wild tumult that his head was in danger, it was said that he was already summoning the people to adorn his brow with the regal chaplet. The consul Scaevola was urged to have the traitor put to death at once. When that temperate man, by no means averse to reform in itself, indignantly refused the equally irrational and barbarous request, the consular Publius Scipio Nasica, a harsh and passionate aristocrat, summoned those who shared his views to arm themselves as they could and to follow him. Almost none of the country people had come into town for the elections; the people of the city timidly gave way, when they saw the nobles rushing along with fury in their eyes, and legs of benches and clubs in their hands. Gracchus attempted with a few attendants to escape. But in his flight he fell on the slope of the Capitol, and was killed by a blow on the temples from the bludgeon of one of

his furious pursuers—Publius Satureius and Lucius Rufus afterwards contested the infamous honour—before the statues of the seven kings at the temple of Fidelity; with him three hundred others were slain, none of them by weapons of iron. When evening had come on, the bodies were thrown into the Tiber; Gaius vainly entreated that the corpse of his brother might be granted to him for burial. Such a day had never before been seen by Rome. The party-strife lasting for more than a century during the first social crisis had led to no such catastrophe as that with which the second began. The better portion of the aristocracy might shudder, but they could no longer recede. They had no choice save to abandon a great number of their most trusty partisans to the vengeance of the multitude, or to assume collectively the responsibility of the outrage: the latter course was adopted. They gave official sanction to the assertion that Gracchus had wished to seize the crown, and justified this latest crime by the primitive precedent of Ahala (i. 322); in fact, they even committed the duty of further investigation as to the accomplices of Gracchus to a special commission, and made its head, the consul Publius Popillius, take care that a sort of legal stamp should be supplementarily impressed on the murder of Gracchus by bloody sentences directed against a large number of inferior persons (622). Nasica, against 132.
whom above all others the multitude breathed vengeance, and who had at least the courage openly to avow his deed before the people and to defend it, was under honourable pretexts despatched to Asia, and soon afterwards (624) in- 130.
vested, during his absence, with the office of Pontifex Maximus. Nor did the moderate party dissociate themselves from these proceedings of their colleagues. Gaius Laelius bore a part in the investigations adverse to the partisans of Gracchus; Publius Scaevola, who had attempted to prevent the murder, afterwards defended it in the senate; when Scipio Aemilianus, after his return from Spain (622), was 132.
challenged publicly to declare whether he did or did not approve the killing of his brother-in-law, he gave the at least ambiguous reply that, so far as Tiberius had aspired to the crown, he had been justly put to death.

Let us endeavour to form a judgment regarding these The domain

question viewed in itself.

momentous events. The appointment of an official commission, which had to counteract the continual diminution of the farmer-class by the continual establishment of new small holdings from the resources of the state, was doubtless no sign of a healthy condition of the national economy; but it was, under the existing circumstances political and social, a judicious measure. The distribution of the domains, moreover, was in itself no political party-question; it might have been carried out to the last sod without changing the existing constitution or at all shaking the government of the aristocracy. As little could there be, in that case, any complaint of a violation of rights. The state was confessedly the owner of the occupied land; the holder as a possessor on mere sufferance could not, as a rule, ascribe to himself even a *bona fide* proprietary tenure, and, in the exceptional instances where he could do so, he was confronted by the fact that by the Roman law prescription availed not against the state. The distribution of the domains was no abolition, but on the contrary an exercise, of the right of property; all jurists were agreed as to its formal legality. But the attempt now to carry out these legal claims of the state was far from being politically warranted by the circumstance that the distribution of the domains neither infringed the existing constitution nor involved a violation of right. Such objections as have been now and then raised in our day, when a great landlord suddenly begins to assert in all their compass claims belonging to him in law but suffered for a long period to lie dormant in practice, might with equal and better right be advanced against the rogation of Gracchus. These occupied domains had been undeniably in heritable private possession, some of them for three hundred years; the state's proprietorship of the soil, which from its very nature loses more readily than that of the burgess the character of private right, had in the case of these lands become virtually extinct, and the present holders had universally come to their possessions by purchase or other onerous acquisition. The jurist might say what he would; to men of business the measure appeared to be an ejection of the great landholders for the benefit of the agricultural proletariate; and in fact no statesman could give it any other name. That the leading men

of the Catonian epoch were of the same opinion, is very clearly shown by their treatment of a similar case that occurred in their time. The territory of Capua and the neighbouring towns, which was annexed as domain in 543, 211.
had for the most part practically passed into private possession during the following unsettled times. In the last years of the sixth century, when in various respects, especially through the influence of Cato, the reins of government were drawn tighter, the burgesses resolved to resume the Campanian territory and to let it out for the benefit of the treasury (582). The possession in this instance rested on an occupa- 172.
tion justified not by previous invitation but at the most by the connivance of the authorities, and had continued in no case much beyond a generation; but the holders were not dispossessed except in consideration of a compensatory sum disbursed under the orders of the senate by the urban praetor Publius Lentulus (*c.* 589).* Less objectionable perhaps, but 165.
still not without hazard, was the arrangement by which the new allotments bore the character of heritable leaseholds and were inalienable. The most liberal principles in regard to freedom of traffic had made Rome great; and it was very little consonant to the spirit of the Roman institutions, that these new farmers were peremptorily bound down to cultivate their portions of land in a definite manner, and that their allotments were subject to rights of revocation and all the cramping measures associated with a system of commercial restriction.

It will be granted that these objections to the Sempronian agrarian law were of no small weight. Yet they were not decisive. Such a practical disinheriting of the holders of the domains was certainly a great evil; yet it was the only means of checking, at least for a long time, an evil much greater still and in fact directly destructive to the state—the decline of the Italian farmer-class. We can well understand therefore why the most distinguished and patriotic men even of the conservative party, headed by Gaius Laelius and Scipio

* This fact, hitherto only partially known from Cicero (*De L. Agr.* ii. 31, 82; comp. Liv. xlii. 2, 19), is now substantiated by the fragments of Licinianus, p. 4. The two accounts are to be combined to this effect, that Lentulus ejected the possessors in consideration of a compensatory sum fixed by him, but accomplished nothing with actual proprietors, as he was not entitled to dispossess them and they would not consent to sell.

Aemilianus, approved and desired the distribution of the domains viewed in itself.

The domain question before the burgesses.

But, if the aim of Tiberius Gracchus probably appeared to the great majority of the wise friends of their country good and salutary, the method which he adopted, on the other hand, did not and could not meet with the approval of a single man of note or of patriotism. Rome about this period was governed by the senate. Any one who carried a measure of administration against the majority of the senate made a revolution. It was a revolution as respected the spirit of the constitution, when Gracchus submitted the domain question to the people; and a revolution also as respected the letter, when he destroyed not only for the moment but for all time coming the tribunician veto—the corrective of the state machine, through which the senate constitutionally got rid of the interferences with its government—by the unconstitutional deposition of his colleague, which he justified with unworthy sophistry. But it was not in this step that the moral and political mistake of the action of Gracchus lay. There are no set forms of high treason in history; whoever provokes one power in the state to conflict with another is certainly a revolutionist, but he may be at the same time a sagacious and praiseworthy statesman. The essential defect of the Gracchan revolution lay in a fact only too frequently overlooked—in the nature of the then existing burgess-assemblies. The agrarian law of Spurius Cassius (i. 309) and that of Tiberius Gracchus had in the main the same tenor and the same object; but the enterprises of the two men were as diverse, as the former Roman burgess-body which shared the Volscian spoil with the Latins and Hernici was different from the present which erected the provinces of Asia and Africa. The former was a civic community, which could meet together and act together; the latter was a great state, the union of whose members in one and the same collective assembly, and the leaving to this assembly the decision, yielded a result as lamentable as it was ridiculous (ii. 363). The fundamental defect of the policy of antiquity—that it never fully advanced from the civic form of constitution to that of a state or, which is the same thing, from the system of collective assemblies

to a parliamentary system—in this case avenged itself. The sovereign assembly of Rome was what the sovereign assembly in England would be, if instead of sending representatives all the electors of England should meet together as a parliament—an unwieldy mass, wildly agitated by all interests and all passions, in which intelligence was totally lost; a body, which was neither able to take a comprehensive view of things nor even to form a resolution of its own; a body above all, in which, saving in rare exceptional cases, a couple of hundred or thousand individuals accidentally picked up from the streets of the capital acted and voted in name of the burgesses. The burgesses found themselves, as a rule, nearly as satisfactorily represented by their actual representatives in the tribes and centuries as by the thirty lictors who legally represented them in the curies; and just as what was called the decree of the curies was nothing but a decree of the magistrate who convoked the lictors, so the decree of the tribes and centuries at this time was in substance simply a decree of the proposing magistrate, legalized by some consentients assembled for the occasion. But while in these voting-assemblies, the *comitia*, though they were far from dealing strictly in the matter of qualification, it was on the whole burgesses alone that appeared, in the mere popular assemblages on the other hand—the *contiones*—every one in the shape of a man was entitled to take his place and to shout, Egyptians and Jews, street-boys and slaves. Such a "meeting" certainly had no significance in the eyes of the law; it could neither vote nor decree. But it practically ruled the street, and already the opinion of the street was a power in Rome, so that it was of some importance whether this confused mass received the communications made to it with silence or shouts, whether it applauded and rejoiced or hissed and howled at the orator. Not many had the courage to lord it over the populace as Scipio Aemilianus did, when they hissed him on account of his expression as to the death of his brother-in-law. "Ye," he said, "to whom Italy is not mother but step-mother, ought to keep silence!" and when their fury grew still louder, "surely you do not think that I will fear those let loose, whom I sent in chains to the slave-market?"

That the rusty machinery of the comitia should be made use of for the elections and for legislation, was bad enough. But when those masses—the *comitia* primarily, and practically also the *contiones*—were permitted to interfere in the administration, and the instrument which the senate employed to prevent such interferences was wrested out of its hands; when this so-called burgess-body was allowed to decree to itself lands and all their appurtenances out of the public purse; when any one, whom circumstances and his influence with the proletariate enabled to command the streets for a few hours, found it possible to impress on his projects the legal stamp of the sovereign people's will, Rome had reached not the beginning, but the end of popular freedom —had arrived not at democracy, but at monarchy. For that reason in the previous period Cato and those who shared his views never brought such questions before the burgesses, but discussed them solely in the senate (ii. 381). For that reason contemporaries of Gracchus, the men of the Scipionic circle,
232. described the Flaminian agrarian law of 522—the first step in that fatal career—as the beginning of the decline of Roman greatness. For that reason they allowed the author of the domain-distribution to fall, and saw in his dreadful end as it were a means of warding off similar attempts in future, while yet they maintained and turned to account with all their energy the distribution of the domains which he had carried —so sad was the state of things in Rome, that honest patriots were forced into the horrible hypocrisy of abandoning the criminal and yet appropriating the fruit of his crime. For that reason too the opponents of Gracchus were in a certain sense not wrong, when they accused him of aspiring to the crown. It is a fresh ground of charge against him rather than a justification, that he himself was probably a stranger to any such thought. The aristocratic government was so thoroughly pernicious, that the citizen who was able to depose the senate and to put himself in its room might perhaps benefit the commonwealth more than he injured it.

Results. But such a bold player Tiberius Gracchus was not. He was a tolerably able, thoroughly well-meaning, conservative patriot, who simply did not know what he was doing; who in the fullest belief that he was calling the people evoked

the rabble, and grasped at the crown without being himself aware of it, till the inexorable concatenation of events urged him irresistibly into the career of the demagogue-tyrant. Then the family commission, the interferences with the public finances, the further "reforms" exacted by perplexity and despair, the body-guard taken from the pavement, and the conflicts in the streets displayed the melancholy usurper more and more clearly to himself and others; and at length the unchained spirits of revolution seized and devoured their incapable conjurer. The infamous butchery, through which he perished, condemns itself, as it condemns the aristocratic faction whence it issued; but the glory of martyrdom, with which it has embellished the name of Tiberius Gracchus, came in this instance, as usually, to the wrong man. The best of his contemporaries judged otherwise. When the catastrophe was announced to Scipio Aemilianus, he uttered the words of Homer:

"Ως ἀπόλοιτο καὶ ἄλλος, ὅτις τοιαῦτά γε ῥέζοι·

and when the younger brother of Tiberius seemed disposed to come forward in the same career, his own mother wrote to him: "Shall then our house have no end of madness? where shall be the limit? have we not yet enough to be ashamed of, in having confused and disorganized the state?" So spoke not the anxious mother, but the daughter of the conqueror of Carthage, who knew of a misfortune yet greater than the death of her children.

CHAPTER III.

THE REVOLUTION AND GAIUS GRACCHUS.

The commission for distributing the domains.

Tiberius Gracchus was dead; but his two works, the distribution of land and the revolution, survived their author. In presence of the starving agricultural proletariate the senate might venture on a murder, but it could not avail itself of that murder to annul the Sempronian agrarian law; the law itself had been far more strengthened than shaken by the frantic outbreak of party fury. The party of the aristocracy friendly towards reform, which openly favoured the distribution of the domains—headed by Quintus Metellus, just about
131. this time (623) censor, and Publius Scaevola—in concert with the party of Scipio Aemilianus, which was at least not disinclined to reform, gained the upper hand for the time being even in the senate; and a decree of the senate expressly directed the triumvirs to begin their labours. According to the Sempronian law these were to be nominated annually by the community, and this was probably done; but from the nature of their task it was natural that the election should fall again and again on the same men, and new elections in the proper sense occurred only when a place became vacant through death. Thus in the place of Tiberius Gracchus there was appointed Publius Crassus Mucianus, the father-in-law
130. of his brother Gaius; and after the fall of Mucianus in 624 (p. 58) and the death of Appius Claudius, the business of distribution was managed in concert with the young Gaius Gracchus by two of the most active leaders of the movement party, Marcus Fulvius Flaccus and Gaius Papirius Carbo. The very names of these men are vouchers that the work of resuming and distributing the occupied domain-land was prosecuted with zeal and energy; and, in fact, proofs to that
132. effect are not wanting. As early as 622 the consul of that year, Publius Popillius, the same who presided over the

prosecutions of the adherents of Tiberius Gracchus, recorded on a public monument that he was "the first who had turned the shepherds out of the domains and installed farmers in their stead;" and tradition otherwise affirms that the distribution extended over all Italy, and that in the formerly existing communities the number of farms was everywhere augmented—for it was the design of the Sempronian agrarian law to elevate the farmer-class not by the founding of new communities, but by the strengthening of those already in existence. The extent and the comprehensive effect of these distributions are attested by the numerous arrangements in the Roman art of land-measuring referable to the Gracchan assignations of land; for instance, the due placing of boundary-stones so as to obviate future mistakes appears to have been first suggested by the Gracchan courts for defining boundaries and by the distributions of land. But the numbers on the burgess-rolls give the clearest evidence. The census, which was published in 623 and actually took place 131.
probably in the beginning of 622, yielded not more than 132.
319,000 burgesses capable of bearing arms, whereas six years
afterwards (629) in place of the previous falling off (p. 88) the 125.
number rises to 395,000, that is 76,000 of an increase—beyond all doubt solely in consequence of what the allotment-commission did for the Roman burgesses. Whether it multiplied the farms among the Italians in the same proportion may be doubted; at any rate what it did accomplish yielded a great and beneficent result. It is true that this result was not achieved without various violations of respectable interests and existing rights. The allotment-commission, composed of the most decided partisans, and absolute judge in its own cause, proceeded with its labours in a reckless and even tumultuary fashion; public notices summoned every one, who was able, to give information regarding the extent of the domain-lands; the old land-registers were inexorably referred to, and not only was occupation new and old revoked without distinction, but in various cases actual private property, as to which the holder was unable satisfactorily to prove his tenure, was also confiscated. Loud and for the most part well founded as were the complaints, the senate allowed the distributors to pursue their course; it was clear that, if the

domain question was to be settled at all, the matter could not be carried through without some such unceremonious vigour of action.

Its suspension by Scipio Aemilianus.

But this acquiescence had its limit. The Italian domain-land was not exclusively in the hands of Roman burgesses; large tracts of it had been assigned in exclusive usufruct to particular allied communities by decrees of the people or senate, and other portions had been occupied with or without permission by Latin burgesses. The triumvirs at length attacked these possessions also. The resumption of the portions simply occupied by non-burgesses was no doubt allowable in formal law, and not less in all probability the resumption of the domain-land handed over by decrees of the senate or even by state-treaties to the Italian communities, since thereby the state by no means renounced its ownership and to all appearance gave its grants to communities, just as to private persons, subject to revocation. But the complaints of these allied or subject communities, that Rome did not keep the treaties concluded with them, could not be simply disregarded like the complaints of the Roman citizens injured by the acts of the commissioners. Legally the former might be no better founded than the latter; but, while in the latter case the matter at stake was the private interests of members of the state, in reference to the Latin possessions the question arose, whether it was politically right to give fresh offence to communities so important in a military point of view and already so greatly estranged from Rome by numerous disabilities *de jure* and *de facto* (ii. 352 *et seq.*) through this severe injury to their material interests. The decision lay in the hands of the middle party; it was that party which after the fall of Gracchus had, in league with his adherents, protected reform against the oligarchy, and it alone was now able in concert with the oligarchy to set a limit to reform. The Latins resorted personally to the most prominent man of this party, Scipio Aemilianus, with a request that he would protect their rights. He promised to do so; and mainly through his in-
129. fluence,* in 625, a decree of the people withdrew from the

* To this occasion belongs his oration *contra legem iudiciariam Ti. Gracchi*—which we are to understand as referring not, as has been asserted, to a law as to the *iudicia publica*, but to the supplementary law annexed to his agrarian rogation: *ut triumviri iudicarent, qua publicus ager, qua privatus esset* (Liv. *Ep.* lviii.; See p. 94 above).

commission its jurisdiction, and remitted the decision respecting what were domanial and what private possessions to the consuls, to whom, where no special laws enacted otherwise, it constitutionally pertained. This was simply a suspension of further domain-distribution under a mild form. The consul Tuditanus, by no means Gracchan in his views and little inclined to occupy himself with the difficult task of agrarian definition, embraced the opportunity of going off to the Illyrian army and leaving the duty entrusted to him unfulfilled. The allotment-commission no doubt continued to subsist, but, as the judicial regulation of the domain-land was at a standstill, it was compelled to remain inactive. The reform-party was deeply indignant. Even men like Publius Mucius and Quintus Metellus disapproved of the intervention of Scipio.

Assassination of Aemilianus.

Other circles were not content with expressing disapproval. Scipio had announced for one of the following days an address respecting the relations of the Latins; on the morning of that day he was found dead in his bed. He was but fifty-six years of age, and in full health and vigour; he had spoken in public the day before, and then in the evening had retired earlier than usual to his bedchamber with a view to prepare the outline of his speech for the following day. That he became the victim of a political assassination, cannot be doubted; he himself shortly before had publicly mentioned the plots formed to murder him. What assassin's hand had during the night slain the first statesman and the first general of his age was never discovered; and it does not become history either to repeat the reports handed down from the contemporary gossip of the city, or to set about the childish attempt to ascertain the truth out of such materials. This much only is clear, that the instigator of the deed must have belonged to the Gracchan party; the assassination of Scipio was the democratic reply to the aristocratic massacre at the temple of Fidelity. The tribunals did not interfere. The popular party, justly fearing that its leaders Gaius Gracchus, Flaccus, and Carbo, whether guilty or not, might be involved in the prosecution, opposed with all its might the institution of an inquiry; and the aristocracy, which lost in Scipio quite as much an antagonist as an ally, was not unwilling to let

the matter sleep. The multitude and men of moderate views were shocked; none more so than Quintus Metellus, who had disapproved of Scipio's interference against reform, but turned away with horror from such confederates, and ordered his four sons to carry the bier of his great antagonist to the funeral pile. The funeral was hurried over; with veiled head the last of the family of the conqueror of Zama was borne forth, without any one having been previously allowed to see the face of the deceased, and the flames of the funeral pile consumed the remains of the illustrious hero and with them the traces of the crime.

The history of Rome presents various men of greater genius than Scipio Aemilianus, but none equalling him in moral purity, in the utter absence of political selfishness, in generous love of his country, and none, perhaps, to whom destiny has assigned a more tragic part. Conscious of the best intentions and of no common abilities, he was doomed to see the ruin of his country carried out before his eyes, and to repress within him every earnest attempt to save it, because he clearly perceived that he should only thereby aggravate the evil; doomed to the necessity of sanctioning outrages like that of Nasica and at the same time of defending the work of the victim against his murderers. Yet he might say that he had not lived in vain. It was to him, at least quite as much as to the author of the Sempronian law, that the Roman burgesses were indebted for an increase of nearly 80,000 new farm-allotments; he it was too who put a stop to this distribution of the domains, when it had produced such benefit as it could produce. That it was time to leave it off, was no doubt disputed at the moment even by well-meaning men; but the fact that Gaius Gracchus did not seriously recur to those possessions which might have been and yet were not distributed under the law of his brother, tells very strongly in favour of the belief that Scipio hit substantially the right moment. Both measures were extorted from the parties—the first from the aristocracy, the second from the friends of reform; the latter its author paid for with his life. It was his lot to fight for his country on many a battle-field and to return home uninjured, that he might perish there by the hand of an assassin; but in

his quiet chamber he no less died for Rome than if he had fallen before the walls of Carthage.

Democratic agitation under Carbo and Flaccus.

The distribution of land was at an end; the revolution went on. The revolutionary party, which possessed in the allotment-commission as it were a constituted leadership, had even in the lifetime of Scipio skirmishes now and then with the existing government. Carbo, in particular, one of the most distinguished men of his time in oratorical talent, had as tribune of the people in 623 given no small trouble to 131. the senate; had carried voting by ballot in the burgess-assemblies, so far as it had not been introduced already (p. 76); and had even made the significant proposal to leave the tribunes of the people free to reappear as candidates for the same office in the year immediately following, and thus legally to remove the obstacle by which Tiberius Gracchus had primarily been thwarted. The scheme had been at that time frustrated by the resistance of Scipio; some years later, apparently after his death, the law passed. The principal object of the party, however, was to revive the action of the allotment-commission which had been practically suspended; the leaders seriously talked of removing the obstacles which the Italian allies interposed to the scheme by conferring on them the rights of citizenship, and the agitation assumed mainly that direction. In order to meet it, the senate in 628 got the tribune of the people Marcus 126. Junius Pennus to propose the dismissal of all non-burgesses from the capital, and in spite of the resistance of the democrats, particularly of Gaius Gracchus, and of the ferment occasioned by this odious measure in the Latin communities, the proposal was carried. Marcus Fulvius Flaccus retorted in the following year (629) as consul with the pro- 125. posal that every ally should be allowed to ask for Roman citizenship and to get a vote of the comitia on his request. But he stood almost alone—Carbo had meanwhile changed his colours and was now a zealous aristocrat, Gaius Gracchus was absent as quaestor in Sardinia—and the project was frustrated by the resistance not of the senate merely, but also of the burgesses, who were but little inclined to extend their privileges to a still wider circle. Flaccus left Rome to undertake the supreme command against the Celts; by his

Transalpine conquests he prepared the way for the great schemes of the democracy, while he at the same time withdrew out of the difficulty of having to bear arms against the allies instigated by himself.

Destruction of Fregellae.

Fregellae, situated on the borders of Latium and Campania at the principal passage of the Liris in the midst of a large and fertile territory, at that time perhaps the second city of Italy and in the discussions with Rome the usual mouthpiece of all the Latin colonies, began war against Rome in consequence of the rejection of the proposal brought in by Flaccus—the first instance which had occurred for a hundred and fifty years of a serious insurrection, not brought about by foreign powers, in Italy against the Roman hegemony. But on this occasion the fire was successfully extinguished before it had caught hold of other allied communities. Not through the superiority of the Roman arms, but through the treachery of a Fregellan Quintus Numitorius Pullus, the praetor Lucius Opimius quickly became master of the revolted city, which lost its civic privileges and its walls and was converted like Capua into a village. The colony of
124. Fabrateria was founded on a part of its territory in 630; the remainder and the former city itself were distributed among the surrounding communities. This rapid and fearful punishment alarmed the allies, and endless impeachments for high treason pursued not only the Fregellans, but also the leaders of the popular party in Rome, who naturally were regarded by the aristocracy as accomplices in this insurrection. Meanwhile Gaius Gracchus reappeared in Rome. The aristocracy had first sought to detain the object of their dread in Sardinia by omitting to provide the usual relief, and then, when without caring for that point he returned, had brought him
125-121. to trial as one of the authors of the Fregellan revolt (629–30). But the burgesses acquitted him; and now he too threw down the gauntlet, became a candidate for the tribuneship of
123. the people, and was nominated to that office for the year 631 in an elective assembly attended by unusual numbers. War was thus declared. The democratic party, always poor in leaders of ability, had from sheer necessity remained virtually at rest for nine years; now the truce was at an end, and this time it was headed by a man who, with more

honesty than Carbo and with more talent than Flaccus, was in every respect called to take the lead.

153–121. Gaius Gracchus.

Gaius Gracchus (601–633) was very different from his brother, who was about nine years older. Like the latter, he had no relish for vulgar pleasures and vulgar pursuits; he was a man of thorough culture and a brave soldier; he had served with distinction before Numantia under his brother-in-law, and afterwards in Sardinia. But in talent, in character, and above all in passion he was decidedly superior to Tiberius. The clearness and self-possession, which the young man afterwards displayed amidst the pressure of all the varied labours requisite for the practical carrying out of his numerous laws, betokened his genuine statesmanly talent; as the passionate devotedness faithful even to death, with which his intimate friends clung to him, evinced the loveable nature of that noble mind. The discipline of suffering which he had undergone, and his compulsory reserve during the last nine years, augmented his energy of purpose and action; the indignation repressed within the depths of his breast only glowed there with an intensified fervour against the party which had distracted his country and murdered his brother. By virtue of this fearful vehemence of temperament he became the foremost orator that Rome ever had; without it, we should probably have been able to reckon him among the first statesmen of all times. Among the few remains of his recorded orations several * are, even in their present condition, of heart-stirring power; and we can well understand how those who heard or even merely read them were carried away by the impetuous torrent of his words. Yet, great master as he was of language, he was himself not unfrequently mastered by anger, so that the utterance of the brilliant speaker became confused or faltering. It was the true image of his political acting and suffering. In the nature of Gaius there was no vein, such as his brother had,

* Such are the words spoken on the announcing of his projects of law:—"If I were to speak to you and ask of you, seeing that I am of noble descent and have lost my brother on your account and that there is now no survivor of the descendants of Publius Africanus and Tiberius Gracchus excepting only myself and a boy, to allow me to take rest for the present, in order that our stock may not be extirpated and that an offset of that family may still survive; you would perhaps readily grant me such a request."

of that somewhat sentimental but very short-sighted and confused good-nature, which would have desired to change the mind of a political opponent by entreaties and tears; fully and firmly resolved, he entered on the career of revolution and strove to reach the goal of vengeance. "To me too," his mother wrote to him, "nothing seems finer and more glorious than to retaliate on an enemy, so far as it can be done without the country's ruin. But if this is not possible, then may our enemies continue and remain what they are, a thousand times rather than that our country should perish." Cornelia knew her son; his creed was just the reverse. Vengeance he would wreak on the wretched government, vengeance at any price, though he himself and even the commonwealth were to be ruined by it. The presentiment, that fate would overtake him as certainly as his brother, drove him only to make haste, like a man mortally wounded who throws himself on the foe. The mother thought more nobly; but the son—with his deeply provoked, passionately excited, thoroughly Italian nature—has been more lamented than blamed by posterity, and posterity has been right in its judgment.

Alterations on the constitution by Gaius Gracchus.

Tiberius Gracchus had come before the burgesses with a single administrative reform. What Gaius introduced in a series of separate proposals was nothing else than an entirely new constitution; the foundation-stone of which was furnished by the innovation previously introduced, that a tribune of the people should be at liberty to solicit re-election for the following year. While this step enabled the popular chief to acquire a permanent position and one which protected its holder, the next object was to secure for him material power or, in other words, to attach the multitude of the capital—for that no reliance was to be placed on the country people coming only from time to time to the city, had been sufficiently apparent—with its interests steadfastly to its leader. This purpose was served, first of all, by introducing distributions of corn in the capital. The grain accruing to the state from the provincial tenths had already been frequently given away at nominal prices to the burgesses (ii. 395). Gracchus enacted that every burgess who should personally present himself in the capital should thenceforth

Distribution of grain.

be allowed monthly a definite quantity—apparently 5 *modii* ($1\frac{1}{4}$ bushel)—from the public stores, at $6\frac{1}{3}$ *asses* (3*d.*) for the *modius*, or not quite the half of a low average price (ii. 396, *note*); for which purpose the public corn-stores were enlarged by the construction of the new Sempronian granaries. This distribution—which consequently excluded the burgesses living out of the capital, and could not but attract to Rome the whole mass of the burgess-proletariate—was designed to bring the burgess-proletariate of the capital, which hitherto had mainly depended on the aristocracy, into dependence on the leaders of the movement-party, and thus to supply the new master of the state at once with a body-guard and with a firm majority in the comitia. For greater security as regards the latter, moreover, the order of voting still subsisting in the *comitia centuriata*, according to which the five property-classes in each tribe gave their votes one after another (ii. 374), was done away; instead of this, all the centuries were in future to vote after one another in an order of succession to be fixed on each occasion by lot. While these enactments were mainly designed to procure for the new chief of the state by means of the city-proletariate the complete command of the capital and thereby of the state, the amplest control over the comitial machinery, and the power in case of need of striking terror into the senate and magistrates, the legislator certainly at the same time set himself with earnestness and energy to redress the existing social evils. It is true that the Italian domain question was in a certain sense settled. The agrarian law of Tiberius and even the allotment-commission still continued legally in force; the agrarian law carried by Gracchus can have enacted nothing new save the restoration to the commissioners of the jurisdiction which they had lost. That the object of this step was only to save the principle, and that the distribution of lands, if resumed at all, was resumed only to a very limited extent, is shown by the burgess-roll, which gives exactly the same number of persons for the years 629 and 639. Gaius beyond doubt did not proceed further in this matter, because the domain-land intended for distribution by his brother was already in substance distributed, and the question as to the domains enjoyed by the Latins could only be taken up anew

Change in the order of voting.

Agrarian laws.

125. 115.

Colony of Capua.

in connection with the very difficult question as to the extension of Roman citizenship. On the other hand he took an important step beyond the agrarian law of Tiberius, when he proposed the establishment of colonies in Italy—at Tarentum, and more especially at Capua—and by that course rendered the domain-land which had been let on lease by the state and was hitherto excluded from distribution, liable to be also parcelled out, not, however, according to the previous method, which did not contemplate the founding of new communities (p. 107), but according to the colonial system. Beyond doubt these colonies were also designed to aid in permanently defending the revolution to which they owed their existence. Still more significant and momentous was the measure, by which Gaius Gracchus first proceeded to provide for the Italian proletariate in the transmarine territories of the state. He despatched to the site on which Carthage had stood 6000 colonists selected perhaps not merely from Roman burgesses but also from the Italian allies, and conferred on the new town of *Junonia* the rights of a Roman burgess-colony. The foundation was important, but still more important was the principle of transmarine emigration which it established. It opened up for the Italian proletariate a permanent outlet, and a relief in fact more than provisional; but it certainly abandoned the principle of state-law hitherto in force, by which Italy was regarded exclusively as the governing, and the provincial territory exclusively as the governed, land.

Transmarine colonization.

Modifications of the penal law.

To these measures having immediate reference to the great question of the proletariate there was added a series of enactments, which arose out of the general tendency to introduce principles milder and more accordant with the spirit of the age than the antiquated severity of the existing constitution. To this head belong the modifications in the military system. As to the length of the period of service there existed under the ancient law no other limit, except that no citizen was liable to ordinary service in the field before completing his sixteenth or after completing his forty-sixth year. When, in consequence of the occupation of Spain, the service began to become permanent (ii. 222), it seems to have been first legally enacted that any one who had been in the field

for six successive years acquired thereby a right to discharge, although this discharge did not protect him from being called out again afterwards. At a later period, perhaps about the beginning of this century, the rule arose, that a service of twenty years in the infantry or ten years in the cavalry gave exemption from further military service.* Gracchus renewed the rule—which was often, in all probability, violently infringed—that no burgess should be enlisted in the army before the commencement of his seventeenth year; and also, apparently, restricted the number of campaigns requisite for full exemption from military duty. Besides, the clothing of the soldiers, the value of which had hitherto been deducted from their pay, was henceforward furnished gratuitously by the state.

To this head belongs, moreover, the tendency which is on various occasions apparent in the Gracchan legislation, if not to abolish, at any rate to restrict, capital punishment still further than had been done before—a tendency, which to some extent made itself felt even in military jurisdiction. From the very introduction of the republic the magistrate had lost the right of inflicting capital punishment on the burgess without consulting the community, except under martial law (i. 275, 482). As this right of appeal on the part of the burgess appears soon after the period of the Gracchi available even in the camp, and the right of the general to inflict capital punishments appears restricted to allies and subjects, the source of the change is probably to be sought in the law of Gaius Gracchus *de provocatione*. The right of the community to inflict or rather to confirm sentence of death was also indirectly but materially limited by the fact, that Gracchus withdrew the cognizance of those public crimes which most frequently gave occasion to capital sentences—poisoning and murder generally—from the bur-

* Thus the statement of Appian (*Hisp.* 78) that six years' service entitled a man to demand his discharge, may perhaps be reconciled with the better known statement of Polybius (vi. 19), respecting which Marquardt (*Alterth.* iii. 2, 286 A. 1580) has formed a correct judgment. The time, at which the two alterations were introduced, cannot be determined further than that the first was probably in existence as early as 603 (Nitzsch, *Gracchen*, p. 231), and the second certainly as early as the time of Polybius. That Gracchus reduced the number of the legal years of service, seems to follow from Asconius *in Cornel.* p. 68; comp. Plutarch, *Ti. Gracch.* 16; Dio, *Fr.* 83, 7, Bekk. 151.

gesses, and entrusted it to permanent judicial commissions. These could not, like the tribunals of the people, be broken up by the intercession of a tribune, and there not only lay no appeal from them to the community, but their sentences were as little subject to be annulled by the community as those of the old institute of civil jurymen. In the burgess-tribunals it had, especially in strictly political processes, no doubt long been the rule that the accused remained at liberty during his trial, and was allowed by surrendering his burgess-rights to withdraw from punishment and to save his life and freedom as well as his property, so far, of course, as no civil claims were made good against the latter. But preliminary arrest and complete execution of the sentence remained in such cases at least legally possible, and were still sometimes carried into effect even against persons of rank; for instance,
142. Lucius Hostilius Tubulus, praetor in 612, who was capitally impeached for a heinous crime, was refused the privilege of exile, arrested, and executed. On the other hand the judicial commissions, which originated out of the form of civil process, could not from the first touch the liberty or life of the citizen, but at the most could only pronounce sentence of exile; this, which had hitherto been a mitigation of punishment accorded to one who was found guilty, now became for the first time a formal penalty. This involuntary exile however, like the voluntary, left to the person banished his property, so far as it was not exhausted in satisfying claims for compensation and fines.

Lastly, in the matter of debt Gaius Gracchus made no alteration. But very respectable authorities assert that he held out to those in debt the hope of a diminution or remission of claims; which, if it is correct, must likewise be reckoned among those popular measures of a radical stamp.

Elevation of the equestrian order.

While Gracchus thus leaned on the support of the multitude, which partly expected, partly received from him a material improvement of its position, he laboured with equal energy at the ruin of the aristocracy. Perceiving clearly how insecure was the power of the head of the state if based merely on the proletariate, he applied himself above all to split the aristocracy and to draw a part of it over to his

interests. The elements of such a rupture were already in existence. The aristocracy of the rich, which had risen as one man against Tiberius Gracchus, consisted in fact of two essentially dissimilar bodies, which may be in some measure compared to the peerage and the city aristocracy of England. The one embraced the practically close circle of the governing senatorial families who kept aloof from direct speculation and invested their immense capital partly in landed property, partly as sleeping partners in the great companies. The main body of the second class was composed of the speculators, who, as managers of these companies, or on their own account, conducted the large mercantile and pecuniary transactions throughout the range of the Roman hegemony. We have already shown (ii. 401 *et seq.*) how the latter class, especially in the course of the sixth century, gradually took its place by the side of the senatorial aristocracy, and how the legal exclusion of the senators from mercantile pursuits by the Claudian ordinance, suggested by Gaius Flaminius the precursor of the Gracchi, drew an outward line of demarcation between the senators and the mercantile and moneyed men. In the present epoch the mercantile aristocracy began, under the name of the *equites*, to exercise a decisive influence in political affairs. This appellation, which originally belonged only to the burgess-cavalry on service, came gradually to be transferred, at any rate in ordinary use, to all those who, as possessors of an estate of at least 400,000 sesterces, were liable to cavalry service in general, and thus comprehended the whole upper ranks, senatorial and non-senatorial, of society in Rome. But not long before the time of Gaius Gracchus the law had declared a seat in the senate incompatible with service in the cavalry (p. 76), and the senators were thus marked off from those capable of serving as equites; and accordingly the equestrian order, taken as a whole, might be regarded as representing the aristocracy of speculators in contradistinction to the senate. Nevertheless those members of senatorial families who had not entered the senate, more especially the younger members, did not cease to serve as equites and consequently to bear the name; and, in fact, the burgess-cavalry properly so called—that is, the eighteen equestrian centuries—in con-

sequence of being made up by the censors continued to be chiefly filled up from the young senatorial aristocracy (ii. 340).

This order of the equites—that is to say, substantially, of the wealthy merchants—in various ways came roughly into contact with the governing senate. There was a natural antipathy between the genteel aristocrats and the men to whom money had given rank. The ruling lords, especially the better class of them, stood just as much aloof from speculations, as the men of material interests were indifferent to political questions and coterie-feuds. The two classes had already frequently come into sharp collision, particularly in the provinces; for, though in general the provincials had far more reason than the Roman capitalists had to complain of the partiality of the Roman magistrates, yet the ruling lords of the senate did not condescend to countenance the greedinesses and injustices of the moneyed men at the expense of the subjects so thoroughly and absolutely as was desired. In spite of their agreement in opposing a common foe such as was Tiberius Gracchus, a deep gulf lay between the nobility and the moneyed aristocracy; and Gaius, more adroit than his brother, enlarged it till the alliance was broken up and the mercantile class ranged itself on his side. That the external privileges, through which afterwards the men of equestrian census were distinguished from the rest of the multitude—the golden finger-ring instead of the ordinary ring of iron or copper, and the separate and better place at the burgess-festivals—were first conferred on the equites by Gaius Gracchus, is not certain, but is not improbable. For they emerged at any rate about this period, and, as the extension of these hitherto mainly senatorial privileges (ii. 335, 340) to the equestrian order which he brought into prominence was quite in the style of Gracchus, so it was in very truth his aim to impress on the equites the stamp of an order, similarly close and privileged, intermediate between the senatorial aristocracy and the common multitude; and this same aim was more promoted by those class-insignia, trifling though they were in themselves and though many of equestrian rank might not avail themselves of them, than by many an ordinance far more intrinsically important. But the party of material interests, though it by no means despised such

Insignia of the equites.

honours, was yet not to be gained through these alone. Gracchus perceived well that it would doubtless duly fall to the highest bidder, but that it needed a great and substantial bidding; and so he offered to it the revenues of Asia and the jury courts.

Taxation of Asia.

The system of Roman financial administration, under which the indirect taxes as well as the domain-revenues were levied by means of middlemen, in itself granted to the Roman capitalist-class the most extensive advantages at the expense of those liable to taxation. But the direct taxes consisted either, as in most provinces, of fixed sums of money payable by the communities—which of itself excluded the intervention of Roman capitalists—or, as in Sicily and Sardinia, of a ground-tenth, the levying of which for each particular community was leased in the provinces themselves, so that wealthy provincials regularly, and the tributary communities themselves very frequently, farmed the tenth of their districts and thereby kept at a distance the dangerous Roman middlemen. Six years ago, when the province of Asia had fallen to the Romans, the senate had organized it substantially according to the first system (p. 59). Gaius Gracchus* overturned this arrangement by a decree of the people, and not only burdened the province, which had hitherto been almost free from taxation, with the most extensive indirect and direct taxes, particularly the ground-tenth, but also enacted that these taxes should be exposed to auction for the province as a whole and in Rome—a rule which practically excluded the provincials from participation, and called into existence in the body of middlemen for the *decumae, scriptura*, and *vectigalia* of the province of Asia an association of capitalists of colossal magnitude. A significant indication, moreover, of the endeavour of Gracchus to make the order of capitalists independent of the senate was the enactment, that the entire or partial remission of the stipulated rent was no longer, as hitherto, to be granted by the senate at discretion, but was under definite contingencies to be accorded by law.

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* That he, and not Tiberius, was the author of this law, now appears from Fronto in the letters to Verus, *init.* Comp. Gracchus *ap.* Gell. xi. 10; Cic. *de Rep.* iii. 29, and *Verr.* iii. 6, 12; Vellei. ii. 6.

Jury courts.

While a gold mine was thus opened for the mercantile class, and the members of the new partnership constituted a great financial power imposing even for the government—a "senate of merchants"—a definite sphere of public action was at the same time assigned to them in the jury courts. The field of the criminal procedure which by right fell to be conducted before the burgesses was among the Romans from the first very narrow, and was, as we have already stated (p. 117), still further narrowed by Gracchus. Most processes—both such as related to public crimes, and civil causes—were decided either by single jurymen [*iudices*], or by commissions partly permanent, partly extraordinary. Hitherto both the former and the latter had been exclusively taken from the senate; Gracchus transferred the functions of jurymen—both in strictly civil processes, and in the case of the standing and temporary commissions—to the equestrian order, directing a new list of jurymen to be annually formed after the analogy of the equestrian centuries from all persons of equestrian rating, and excluding the senators directly, and the young men of senatorial families by the fixing of a certain limit of age, from judicial functions.* It is not improbable that the selection of jurymen was chiefly made to fall on the same men who played the leading part in the great mercantile associations, particularly those farming the revenues in Asia and elsewhere, just because these had a very close personal interest in sitting in the courts; and, if the lists of *iudices* and the societies of *publicani* thus coincided as regards their chiefs, we can all the better understand the significance of the counter-senate thus constituted. The substantial effect of this was, that, while hitherto there had been only two authorities in the state—the government as the administering and controlling, and the burgesses as the legislative, authority—and the courts had been divided between them, now the moneyed aristocracy was not only united into a compact and privileged class on the solid basis of material interests, but also, as a judicial and controlling

* We still possess a great portion of the new ordinance—primarily occasioned by this alteration in the *personnel* of the judges—for the standing commission regarding extortion; it is known under the name of the Servilian, or rather Acilian, law *de repetundis*.

power, formed part of the state and took its place almost on a footing of equality by the side of the ruling aristocracy. All the old antipathies of the merchants against the nobility necessarily, from this time forth, found only too practical an expression in the sentences of the jurymen; above all, when the provincial governors were called to account, the senator had to await a decision involving his civil existence at the hands no longer as formerly of his peers, but of great merchants and bankers. The feuds between the Roman capitalists and the Roman governors were transplanted from the provincial administration to the dangerous field of these processes of reckoning. Not only was the aristocracy of the rich divided, but care was taken that the variance should always find fresh nourishment and easy expression.

Monarchical government substituted for that of the senate.

With his weapons—the proletariate and the mercantile class—thus prepared, Gracchus proceeded to his main work, the overthrow of the ruling aristocracy. The overthrow of the senate meant, on the one hand, the depriving it of its essential functions by legislative changes; and on the other hand, the ruining of the existing aristocracy by measures of a more personal and transient kind. Gracchus did both. The function of administration, in particular, had hitherto belonged exclusively to the senate; Gracchus took it away, partly by settling the most important administrative questions by means of comitial laws or, in other words, practically through tribunician dictation, partly by restricting the senate as much as possible in current affairs, partly by taking business after the most comprehensive fashion into his own hands. The measures of the former kind have been mentioned already. The new master of the state without consulting the senate meddled with the state-chest, by imposing a permanent and oppressive burden on the public finances in the distribution of corn; meddled with the domains, by sending out colonies not as formerly by decree of the senate but by decree of the people; and meddled with the provincial administration, by overturning through a law of the people the financial constitution given by the senate to the province of Asia and substituting for it one altogether different. One of the most important of the current duties of the senate—the arbitrary fixing of the respective spheres of duty of the two

consuls—was not withdrawn from it; but the indirect pressure hitherto exercised in this way over the supreme magistrates was neutralized by directing the senate to fix the spheres of duty before the consuls concerned were elected. With unrivalled activity, lastly, Gaius concentrated the most varied and most complicated functions of government in his own person. He himself watched over the distribution of grain, selected the jurymen, founded the colonies in person notwithstanding that his magistracy legally chained him to the city, regulated highways and concluded building-contracts, led the discussions of the senate, settled the consular elections—in short, he accustomed the people to the fact that one man was foremost in all things, and threw the lax and lame administration of the senatorial college into the shade by the vigour and dexterity of his personal rule.

Gracchus interfered with the jurisdiction, still more energetically than with the administration, of the senate. We have already mentioned that he set aside the senators from the ordinary judicial functions; the same course was taken with the jurisdiction which the senate as the supreme administrative board assumed in exceptional cases. Under severe penalties he prohibited—apparently in his renewal of the law *de provocatione**—the appointment of extraordinary commissions of high treason by decree of the senate, such as that which after his brother's murder had sat in judgment on his adherents. The effect of these measures was, that the senate wholly lost the power of control, and retained only so much of administration as the head of the state thought fit to leave to it. But these organic measures were not enough; the governing aristocracy for the time being was also directly assailed It was a mere act of revenge, which assigned retrospective effect to the last-mentioned law and by virtue of it compelled Publius Popillius—the aristocrat who after the death of Nasica, which had occurred in the interval, was chiefly obnoxious to the democrats—to leave the country. It is remarkable that this proposal was only carried by eighteen to seventeen votes in the assembly of the tribes—a sign how much the influence of the aristocracy still availed

* This and the law *ne quis iudicio circumveniatur* may have been identical.

with the multitude, at least in questions of a personal interest. A similar but far less justifiable decree—the proposal, directed against Marcus Octavius, that whoever had been deprived of his office by decree of the people should be for ever incapable of filling a public post—was recalled by Gracchus at the request of his mother; and he was thus spared the disgrace of openly mocking justice by legalizing a notorious violation of the constitution, and of taking base vengeance on a man of honour, who had not spoken an angry word against Tiberius and had only acted constitutionally and in accordance with what he conceived to be his duty. But of very different importance from these measures was the scheme of Gaius—which, it is true, was hardly carried into effect—to reinforce the senate by 300 new members, that is, by just about as many as it previously had, and to have them elected from the equestrian order by the comitia—a creation of peers after the most comprehensive style, which would have reduced the senate into the most complete dependence on the chief of the state.

Character of the constitution of Gaius Gracchus. 123. 122.

This was the political constitution which Gaius Gracchus projected and, in its most essential points, carried out during the two years of his tribunate (631, 632), without, so far as we can see, encountering any resistance worthy of mention, and without requiring to apply force for the attainment of his ends. The order in which these measures were carried can no longer be recognized in the broken accounts handed down to us, and various questions that suggest themselves have to remain unanswered. But it does not seem as if, in what is missing, many elements of material importance can have escaped us; for as to the principal matters we have information entirely trustworthy, and Gaius was by no means like his brother urged on further and further by the current of events, but evidently had a well-considered and comprehensive plan, the substance of which he fully embodied in a series of special laws.

Now the Sempronian constitution itself shows very clearly to every one who is able and willing to see, that Gaius Gracchus did not at all, as many good-natured people in ancient and modern times have supposed, wish to place the Roman republic on new democratic bases, but that on

the contrary he wished to abolish it and to introduce in its stead a Tyrannis—that is, in modern language, a monarchy not of the feudal or of the theocratic, but of the Napoleonic absolute, type—in the form of a magistracy continued for life by regular re-election and rendered absolute by an unconditional command of the formally sovereign comitia, an unlimited tribuneship of the people for life. In fact if Gracchus, as his words and still more his works plainly testify, aimed at the overthrow of the government of the senate, what other political organization but the Tyrannis remained possible, after overthrowing the aristocratic government, in a commonwealth which had outgrown collective assemblies and had no knowledge of parliamentary government? Dreamers such as was his predecessor, and knaves such as after times produced, might call this in question; but Gaius Gracchus was a statesman, and though the formal shape, which that great man had projected for his great work, has not been handed down to us and may be conceived of very variously, yet he was beyond doubt aware of what he was doing. While the intention of usurping monarchical power can scarcely be mistaken, those who survey the whole circumstances will scarcely blame Gracchus for it. An absolute monarchy is a great misfortune for a nation, but it is a less misfortune than an absolute oligarchy; and history cannot censure one who imposes on a nation the lesser suffering instead of the greater, least of all in the case of a nature so vehemently earnest and so far aloof from all that is vulgar as was that of Gaius Gracchus. Nevertheless it may not conceal the fact that his whole legislation was pervaded in a most pernicious way by conflicting aims; for on the one hand it aimed at the public good, while on the other hand it ministered to the personal objects and in fact the personal vengeance of the ruler. Gracchus earnestly laboured to find a remedy for social evils, and to check the spread of pauperism; yet he at the same time intentionally reared up a street proletariate of the worst kind in the capital by his distributions of corn, which were designed to be, and became, a premium to all the lazy and hungry civic rabble. Gracchus censured in the bitterest terms the venality of the senate, and in particular laid bare with unsparing and just

severity the scandalous traffic which Manius Aquillius had driven with the provinces of Asia Minor;* yet it was through the efforts of the same man that the sovereign populace of the capital got itself alimented in return for its cares of government by the body of its subjects. Gracchus warmly disapproved the disgraceful spoliation of the provinces, and not only instituted proceedings of wholesome severity in particular cases, but also procured the abolition of the thoroughly insufficient senatorial courts, before which even Scipio Aemilianus had vainly staked his whole influence to bring the most decided criminals to punishment; yet he at the same time, by the introduction of courts composed of merchants, surrendered the provincials with their hands fettered to the party of material interests and thereby to a despotism still more unscrupulous than that of the aristocracy had been, and he introduced into Asia a taxation, compared with which even the form of taxation established after the Carthaginian model in Sicily might be called mild and humane—just because on the one hand he needed the party of moneyed men, and on the other hand required new and comprehensive resources to meet his distributions of grain and the other burdens newly imposed on the finances. Gracchus beyond doubt desired a firm administration and a regular dispensation of justice, as numerous thoroughly judicious ordinances testify; yet his new system of administration rested on a continuous series of individual usurpations only formally legalized, and he intentionally drew the judicial system—which every well-ordered state will endeavour as far as possible to place, if not above political parties, at any rate aloof from them—into the midst of the whirlpool of revolution. Certainly the blame of these conflicting tendencies in Gaius Gracchus is

* A considerable fragment of an oration of Gracchus, still extant, relates to this trafficking about the possession of Phrygia, which after the annexation of the kingdom of Attalus was offered for sale by Manius Aquillius to the kings of Bithynia and of Pontus, and was bought by the latter as the highest bidder (p. 59). In this speech he observes that no senator troubled himself about public affairs for nothing, and adds that with reference to the law under discussion (as to the granting of Phrygia to king Mithradates) the senate was divisible into three classes, viz., those who were in favour of it, those who were against it, and those who were silent: that the first were bribed by king Mithradates, the second by king Nicomedes, while the third were the most cunning, for they accepted money from the envoys of both kings and made each party believe that they were silent in its interest.

chargeable to a very great extent on his position rather than on himself personally. On the very threshold of the Tyrannis he was confronted by the fatal dilemma, moral and political, that the same man had at one and the same time to hold his ground, we may say, as a robber-chieftain and to lead the state as its first citizen—a dilemma to which Pericles, Caesar, and Napoleon had also to make dangerous sacrifices. But the conduct of Gaius Gracchus cannot be wholly explained from this necessity; along with it there worked in him the consuming passion, the glowing revenge, which foreseeing its own destruction hurls the firebrand into the house of the foe. He has himself expressed what he thought of his ordinance as to the jurymen and similar measures intended to divide the aristocracy; he called them daggers which he had thrown into the Forum that the burgesses—the upper ranks, of course—might lacerate each other with them. He was a political incendiary. Not only was the hundred years' revolution which dates from him, so far as it was one man's work, the work of Gaius Gracchus, but he was above all the true founder of that terrible urban proletariate flattered and paid by the classes above it, which was through its aggregation in the capital—the natural consequence of the largesses of corn—at once utterly demoralized and made conscious of its power, and which—with its demands, sometimes stupid, sometimes knavish, and its talk of the sovereignty of the people—lay like an incubus for five hundred years upon the Roman commonwealth and only perished along with it. And yet this greatest of political transgressors was the regenerator of his country. There is scarce a fruitful idea in Roman monarchy, which is not traceable to Gaius Gracchus. From him proceeded the maxim—founded doubtless in a certain sense in the nature of the traditionary laws of war, but yet in the extension and practical application now given to it foreign to the older state-law—that all the land of the subject communities was to be regarded as the private property of the state; a maxim which was primarily employed to vindicate the right of the state to tax that land at pleasure, as was the case in Asia, or to apply it for the institution of colonies, as was done in Africa, and which became afterwards a fundamental principle of law under the empire. From him proceeded

the tactics adopted by the demagogues and tyrants, whereby with the support of material interests they broke down the governing aristocracy, but subsequently legitimized the change of constitution by substituting a strict and judicious administration for the previous misgovernment. To him, in particular, are traceable the first steps towards such a reconciliation between Rome and the provinces as the establishment of monarchy could not but bring in its train; the attempt to rebuild Carthage destroyed by Italian rivalry and generally to open the way for Italian emigration towards the provinces, formed the first link in the long chain of that momentous and beneficial course of action. Right and wrong, fortune and misfortune were so inextricably blended in this singular man and in this marvellous political constellation, that it may well beseem history in this case—though it beseems her but seldom—to reserve her judgment.

The question as to the allies.

When Gracchus had substantially completed the new constitution projected by him for the state, he applied himself to a second and difficult work. The question as to the Italian allies was still undecided. What were the views of the democratic leaders regarding it, had been rendered sufficiently apparent (p. 111). They naturally desired the utmost possible extension of the Roman franchise, not only in order to render the domains occupied by the Latins liable to distribution, but above all in order to reinforce their following by the enormous mass of the new burgesses, to bring the comitial machine still more fully under their power by widening the body of privileged electors, and generally to abolish a distinction which had now with the fall of the republican constitution lost all serious importance. But here they encountered resistance from their own party, and especially from that band which otherwise readily gave its sovereign affirmative to all which it did or did not understand. For the simple reason that Roman citizenship seemed to these people, so to speak, like a partnership which gave them a claim to share in sundry very tangible profits, direct and indirect, they were not at all disposed to enlarge the number of the partners. The rejection of the Fulvian law in 629, and the insurrection of the Fregellans arising out of it, were significant indications both of the obstinate persever- 125.

ance of the fraction of the burgesses that ruled the comitia, and of the urgent impatience of the allies. Towards the end
122. of his second tribunate (632) Gracchus, probably urged by obligations which he had undertaken towards the allies, ventured on a second attempt. In concert with Marcus Flaccus—who, although a consular, had again taken the tribuneship of the people, in order now to carry the law which he had formerly proposed without success—he made a proposal to grant to the Latins the full franchise, and to the other Italian allies the former rights of the Latins. But the proposal encountered the united opposition of the senate and the mob of the capital. The nature of this coalition and its mode of conflict are clearly and distinctly seen from an accidentally preserved fragment of the speech which the consul Gaius Fannius made to the burgesses in opposition to the proposal. "Do you then think," said the Optimate, "that, if you confer the franchise on the Latins, you will be able to find a place in future—just as you are now standing there in front of me—in the burgess-assembly or at the games and popular amusements? Do you not believe, on the contrary, that those people will occupy every spot?" Among the burgesses of the fifth century, who on one day conferred the franchise on all the Sabines, such an orator might perhaps have been hissed; those of the seventh found his reasoning uncommonly clear and the price of the assignation of the Latin domains, which was offered to it by Gracchus, far too low. The very circumstance, that the senate carried a permission to eject from the city all non-burgesses before the day for the decisive vote, showed the fate in store for the proposal. And when before the voting Livius Drusus, a colleague of Gracchus, interposed his veto against the law, the people received the veto in such a way that Gracchus could not venture to proceed further or even to prepare for Drusus the fate of Marcus Octavius.

Overthrow of Gracchus.

It was, apparently, this success which emboldened the senate to attempt the overthrow of the victorious demagogue. The weapons of attack were substantially the same with which Gracchus himself had formerly operated. The power of Gracchus rested on the mercantile class and the proletariate; primarily on the latter, which in this conflict,

wherein neither side had any military reserve, acted as it were the part of an army. It was clear that the senate was not powerful enough to wrest either from the merchants or from the proletariate their new privileges; any attempt to assail the corn-laws or the new jury-arrangement would have led, under a somewhat grosser or somewhat more civilized form, to a street-riot in presence of which the senate was utterly defenceless. But it was no less clear, that Gracchus himself and these merchants and proletarians were only kept together by mutual advantage, and that the men of material interests were ready to accept their posts, and the populace strictly so-called its bread, quite as well from any other as from Gaius Gracchus. The institutions of Gracchus stood, for the moment at least, immoveably firm with the exception of a single one—his own supremacy. The weakness of the latter lay in the fact, that in the constitution of Gracchus no relations of allegiance subsisted at all between the chief and the army; and, while the new constitution possessed all other elements of vitality, it lacked one—the moral tie between ruler and ruled, without which every state rests on a pedestal of clay. In the rejection of the proposal to admit the Latins to the franchise it had been demonstrated with decisive clearness that the multitude in fact never voted for Gracchus, but always simply for itself. The aristocracy conceived the plan of offering battle to the author of the corn-largesses and land-assignations on his own ground.

Rival demagogism of the senate. The Livian laws.

As a matter of course, the senate offered to the proletariate not merely the same advantages as Gracchus had already assured to it in corn and otherwise, but advantages still greater. Commissioned by the senate, the tribune of the people Marcus Livius Drusus proposed to release those who received land under the laws of Gracchus from the rent imposed on them (p. 94), and to declare their allotments to be free and alienable property; and, further, to provide for the proletariate not in transmarine, but in twelve Italian, colonies, each of 3000 colonists, for the planting of which the people might nominate suitable men; only, Drusus himself declined—in contrast with the Gracchan family-*collegium*—to take part in this honourable duty. Probably the Latins were named as those at whose expense the

plan was to be carried out, for there does not appear to have now existed in Italy other occupied domain-land of any extent save that which was enjoyed by them. We find enactments of Drusus—such as the regulation that the punishment of scourging should only be allowed to be inflicted on the Latin soldier by the Latin officer set over him, and not by the Roman officer—which were to all appearance intended to indemnify the Latins for other losses. The plan was not the most refined. The attempt at rivalry was too clear; the endeavour to draw the fair bond between the nobles and the proletariate still closer by their exercising jointly a tyranny over the Latins was too transparent; the inquiry suggested itself too readily, In what part of the peninsula, now that the Italian domains had been mainly given away already—even granting that the whole domains assigned to the Latins were confiscated—was the occupied domain-land requisite for the formation of twelve new, numerous, and compact burgess-communities to be discovered? Lastly the declaration of Drusus, that he would have nothing to do with the execution of his law, was so dreadfully prudent that it was almost the height of absurdity. But the clumsy snare was quite suited for the stupid game which they wished to catch. There was the additional and perhaps decisive consideration, that Gracchus, on whose personal influence everything depended, was just then establishing the Carthaginian colony in Africa, and that his lieutenant in the capital, Marcus Flaccus, played into the hands of his opponents by his vehemence and incapacity. The "people" accordingly ratified the Livian laws as readily as it had before ratified the Sempronian. It then, as usual, repaid its latest, by inflicting a gentle blow on its earlier, benefactor, declining to re-elect him when he stood for the third time as a can-
121. didate for the tribunate for the year 633; on which occasion, however, there are alleged to have been unjust proceedings on the part of the tribune presiding at the election, who had been formerly offended by Gracchus. Thus the foundation of his despotism gave way beneath him. A second blow was inflicted on him by the consular elections, which not only proved in a general sense adverse to the democracy, but which placed at the head of the state Lucius Opimius, who

as praetor in 629 had conquered Fregellae, one of the most decided and least scrupulous chiefs of the strict aristocratic party, and a man firmly resolved to get rid of their dangerous antagonist at the earliest opportunity. 125.

Such an opportunity soon occurred. On the 10th of December, 632, Gracchus ceased to be tribune of the people; on the 1st of January, 633, Opimius entered on his office. The first attack, as was fair, was directed against the most useful and the most unpopular measure of Gracchus, the restoration of Carthage. While the transmarine colonies had hitherto been only indirectly assailed through the greater allurements of the Italian, African hyaenas, it was now alleged, dug up the newly-placed boundary-stones of Carthage, and the Roman priests, when requested, certified that such signs and portents ought to form an express warning against rebuilding on a site accursed by the gods. The senate thereby found itself in conscience compelled to have a law proposed, which prohibited the planting of the colony of Junonia. Gracchus, who with the other men nominated to establish it was just then selecting the colonists, appeared on the day of voting at the Capitol whither the burgesses were convoked, with a view to procure by means of his adherents the rejection of the law. He wished to shun acts of violence, that he might not himself supply his opponents with the pretext which they sought; but he had not been able to prevent a great portion of his faithful partisans, who remembered the catastrophe of Tiberius and were well acquainted with the designs of the aristocracy, from appearing in arms, and amidst the immense excitement on both sides quarrels could hardly be avoided. The consul Lucius Opimius offered the usual sacrifice in the porch of the Capitoline temple; one of the attendants assisting at the ceremony, Quintus Antullius, with the holy entrails in his hand, haughtily ordered the "bad citizens" to quit the porch, and seemed as though he would lay hands on Gaius himself; whereupon a zealous Gracchan drew his sword and cut the man down. A fearful tumult arose. Gracchus vainly sought to address the people and to avert from himself the responsibility of the sacrilegious murder; he only furnished his antagonists with a fresh and formal ground of accusa-

Attack on the transmarine colonization. [122. [121.

Downfall of Gracchus.

tion, as, without being aware of it in the confusion, he interrupted a tribune in the act of speaking to the people—an offence, for which an obsolete statute, originating at the time of the old dissensions between the orders (i. 302), had prescribed the severest penalty. The consul Lucius Opimius took his measures to put down by force of arms the insurrection for the overthrow of the republican constitution, as they chose to designate the events of this day. He himself passed the night in the temple of Castor in the Forum; at early dawn the Capitol was filled with Cretan archers, the senate-house and Forum with the men of the government party—the senators and the section of the equites adhering to them—who by order of the consul had all appeared in arms and each attended by two armed slaves. None of the aristocracy were absent; even the aged and venerable Quintus Metellus, well disposed to reform, had appeared with shield and sword. An officer of ability and experience acquired in the Spanish wars, Decimus Brutus, was entrusted with the command of the armed force; the senate assembled in the senate-house. The bier with the corpse of Antullius was deposited in front of it; the senate, as if surprised, appeared *en masse* at the door in order to view the dead body, and then retired to determine what should be done. The leaders of the democracy had gone from the Capitol to their houses; Marcus Flaccus had spent the night in preparing for the war in the streets, while Gracchus apparently disdained to strive with destiny. Next morning, when they learned the preparations made by their opponents at the Capitol and the Forum, both proceeded to the Aventine, the old stronghold of the popular party in the struggles between the patricians and the plebeians. Gracchus went thither silent and unarmed; Flaccus called the slaves to arms and entrenched himself in the temple of Diana, while he at the same time sent his younger son Quintus to the enemy's camp in order if possible to arrange a compromise. The latter returned with the announcement that the aristocracy demanded unconditional surrender; at the same time he brought a summons from the senate to Gracchus and Flaccus to appear before it and to answer for their violation of the majesty of the tribunes. Gracchus wished

to comply with the summons, but Flaccus prevented him from doing so, and repeated the equally weak and mistaken attempt to move such antagonists to a compromise. When instead of the two cited leaders the young Quintus Flaccus once more presented himself alone, the consul treated their refusal to appear as the beginning of open insurrection against the government; he ordered the messenger to be arrested and gave the signal for attack on the Aventine, while at the same time he caused proclamation to be made in the streets that the government would give to whosoever should bring the head of Gracchus or of Flaccus its literal weight in gold, and that they would guarantee complete indemnity to every one who should leave the Aventine before the beginning of the conflict. The ranks on the Aventine speedily thinned; the valiant nobility in union with the Cretans and the slaves stormed the almost undefended Mount, and killed all whom they found, about 250 persons, mostly of humble rank. Marcus Flaccus fled with his eldest son to a place of concealment, where they were soon afterwards hunted out and put to death. Gracchus had at the beginning of the conflict retired into the temple of Minerva, and was there about to pierce himself with his sword, when his friend Publius Lactorius seized his arm and besought him to preserve himself if possible for better times. Gracchus was induced to make an attempt to escape to the other bank of the Tiber; but when hastening down the hill he fell and sprained his foot. To gain time for him to escape, his two attendants turned to face his pursuers and allowed themselves to be cut down, Marcus Pomponius at the Porta Trigemina under the Aventine, Publius Lactorius at the bridge over the Tiber where Horatius Cocles was said to have once singly withstood the Etruscan army; so Gracchus, attended only by his slave Euporus, reached the suburb on the right bank of the Tiber. There, in the grove of Furrina, were afterwards found the two dead bodies; it seemed as if the slave had put to death first his master and then himself. The heads of the two fallen leaders were handed over to the government as required; the stipulated price and more was paid to Lucius Septumuleius, a man of quality, who delivered up the head of Gracchus, while the murderers of Flaccus,

persons of humble rank, were sent away with empty hands. The bodies of the dead were thrown into the river; the houses of the leaders were abandoned to the pillage of the multitude. The warfare of prosecution against the partisans of Gracchus began on the grandest scale; as many as 3000 of them are said to have been strangled in prison, amongst whom was Quintus Flaccus, eighteen years of age, who had taken no part in the conflict and was universally lamented on account of his youth and his amiableness. On the open space beneath the Capitol where the altar consecrated by Camillus after the restoration of internal peace (i. 327) and other shrines erected on similar occasions to Concord were situated, these small chapels were pulled down: and out of the property of the killed or condemned traitors, which was confiscated even to the portions of their wives, a new and splendid temple of Concord with the basilica belonging to it was erected in accordance with a decree of the senate by the consul Lucius Opimius. Certainly it was an act in accordance with the spirit of the age to remove the memorials of the old, and to inaugurate a new, concord over the remains of the three grandsons of the conqueror of Zama, all of whom—first Tiberius Gracchus, then Scipio Aemilianus, and lastly the youngest and most vehement, Gaius Gracchus—had now been engulfed by the revolution. The memory of the Gracchi remained officially proscribed; Cornelia was not allowed even to put on mourning for the death of her last son; but the passionate attachment, which very many had felt towards the two noble brothers and especially towards Gaius during their life, was touchingly displayed also after their death in the almost religious veneration which the multitude, in spite of all precautions of police, continued to pay to their memory and to the spots where they had fallen.

CHAPTER IV.

THE RULE OF THE RESTORATION.

Vacancy in the government.

The new structure, which Gaius Gracchus had reared, became on his death a ruin. His death indeed, like that of his brother, was primarily a mere act of vengeance; but it was at the same time a very material step towards the restoration of the old constitution, when the person of the monarch was taken away from the monarchy just as it was on the point of being established. It was all the more so in the present instance, because after the fall of Gaius and the sweeping and bloody prosecutions of Opimius there existed at the moment absolutely no one, who, either by relationship to the fallen chief of the state or by pre-eminent ability, might feel himself warranted in even attempting to occupy the vacant place. Gaius had departed from the world childless, and the son whom Tiberius had left behind him died before reaching manhood; the whole popular party, as it was called, was literally without any one who could be named as leader. The Gracchan constitution resembled a fortress without a commander; the walls and garrison were uninjured, but the general was wanting, and there was no one to take possession of the vacant place save the very government which had been overthrown.

The restored aristocracy.

So it accordingly happened. After the decease of Gaius Gracchus without heirs, the government of the senate as it were spontaneously resumed its place; and this was the more natural, that it had not been, in the strict sense, formally abolished by Gaius Gracchus, but had merely been reduced to a practical nullity by his exceptional proceedings. Yet we should greatly err, if we should discern in this restoration nothing further than a relapse of the state-machine into the old track which had been beaten and worn for centuries.

Restoration is always revolution; but in this case it was not so much the old government as the old governor that was restored. The oligarchy made its appearance newly equipped in the armour of the *tyrannis* which had been overthrown. As the senate had beaten Gracchus from the field with his own weapons, so it continued in the most essential points to govern with the constitution of the Gracchi; though certainly with the secret intention, if not of setting it aside entirely, at any rate of thoroughly purging it in due time from the elements really hostile to the ruling aristocracy.

Prosecutions of the democrats.

121.

At first the reaction was mainly directed against persons. Publius Popillius was recalled from banishment after the enactments relating to him had been cancelled (633), and a warfare of prosecution was waged against the adherents of Gracchus; whereas the attempt of the popular party to have Lucius Opimius after his resignation of office condemned for high treason was frustrated by the partisans of the

120.

government (634). The character of this government of the restoration is significantly indicated by the progress of the aristocracy in soundness of opinion. Gaius Carbo, once the ally of the Gracchi, had for long been a convert (p. 111), and had but recently shown his zeal and his usefulness as defender of Opimius. But he remained a renegade: when the democrats raised the same accusation against him as against Opimius, the government were not unwilling to let him fall, and Carbo, seeing himself lost between the two parties, died by his own hand. Thus the men of the reaction showed themselves in personal questions pure aristocrats. But the reaction did not immediately attack the distributions of grain, the taxation of the province of Asia, or the Gracchan ordinances as to the jurymen and the tribunals; on the contrary, it not only spared the mercantile class and the proletariate of the capital, but continued to render homage, as it had already done in the introduction of the Livian laws, to these powers and especially to the proletariate far more decidedly than had been done by the Gracchi. This course was not adopted merely because the Gracchan revolution retained a hold on the minds of its contemporaries and protected its creations; the fostering and cherishing of the interests of the populace at least by the

aristocracy were in fact perfectly compatible with their own advantage, and nothing further was sacrificed by such a policy than merely the public weal.

The domain question under the restoration.

All those measures which were devised by Gaius Gracchus for the promotion of the public welfare—the best but, as may readily be conceived, also the most unpopular part of his legislation—were allowed by the aristocracy to drop. Nothing was so speedily and so successfully assailed as the noblest of his projects, the scheme of introducing a legal equality first between the Roman burgesses and Italy, and thereafter between Italy and the provinces, and—inasmuch as the distinction between the merely ruling and consuming and the merely serving and working members of the state was thus done away—at the same time solving the social question by the most comprehensive and systematic emigration known in history. With all the determination and all the peevish obstinacy of dotage the restored oligarchy obtruded the principle of deceased generations—that Italy must remain the ruling land and Rome the ruling city in Italy—afresh on the present. Even in the lifetime of Gracchus the claims of the Italian allies had been decidedly rejected, and the great idea of transmarine colonization had been subjected to a very serious attack, which became the immediate cause of Gracchus' fall. After his death the scheme of restoring Carthage was set aside with little difficulty by the government-party, although the several allotments already distributed there were left to the recipients. It is true that they could not prevent a similar settlement of the democratic party from succeeding at another point: in the course of the conquests beyond the Alps which Marcus Flaccus had begun, the colony of Narbo (Narbonne) was founded there in 636, 118.
the oldest transmarine burgess-city in the Roman empire, which, in spite of manifold attacks by the government-party and in spite of a proposal directly made by the senate to abolish it, permanently held its ground. But, apart from this—in its isolation not very important—exception, the government was uniformly successful in preventing the assignation of land out of Italy.

The Italian domain-question was settled in a similar spirit. The Italian colonies of Gaius, especially Capua,

were cancelled, and such of them as had already been planted were again broken up; that of Tarentum alone was allowed to subsist in the form of the new town of Neptunia placed alongside of the former Greek community. So much of the domains as had already been distributed by non-colonial assignation remained in the hands of the recipients; the restrictions imposed on them by Gracchus in the interest of the commonwealth—the ground-rent and the prohibition of alienation—had already been abolished by Marcus Drusus. With reference on the other hand to the domains still possessed by right of occupation—which, over and above the domain-land enjoyed by the Latins, must have mostly consisted of the estates retained by their holders in accordance with the Gracchan maximum (p. 94)—it was resolved definitively to secure them to those who had hitherto been occupants and to preclude the possibility of future distribution. It was primarily from these lands, no doubt, that the 36,000 new farm-allotments promised by Drusus were to have been formed; but they saved themselves the trouble of inquiring where those hundreds of thousands of *iugera* of Italian domain-land were to be found, and tacitly shelved the Livian colonial law, which had served its purpose; the far from important colony of Scylacium (Squillace) is perhaps the only one referable to the colonial law of Drusus. On the other hand by a law, which the tribune of the people Spurius Thorius carried under the instructions of the senate, the
119. allotment-commission was abolished in 635, and a fixed rent was imposed on the occupants of the domain-land, the proceeds of which went to the benefit of the populace of the capital—apparently by forming part of the fund for the distribution of corn; proposals going still further, including perhaps an increase of the largesses of grain, were averted by the judicious tribune of the people Gaius Marius. The
111. final step was taken eight years afterwards (643), when by a new decree of the people* the occupied domain-land was directly converted into the rent-free private property of the former occupants. It was added, that in future domain-land was not to be occupied at all, but was either to be leased or

* It is in great part still extant and known under the erroneous name, which has now been handed down for three hundred years, of the Thorian agrarian law.

to lie open as public pasture; in the latter case provision was made by the fixing of a very low maximum of ten head of large and fifty head of small cattle, that the large herd-owner should not practically exclude the small. In these judicious regulations the injurious character of the occupation-system, which moreover was long ago given up (ii. 348), was at length officially recognized, but unhappily they were only adopted when it had already deprived the state in substance of its domanial possessions. While the Roman aristocracy thus took care of itself and got whatever occupied land was still in its hands converted into its own property, it at the same time pacified the Italian allies, not indeed by conferring on them the property of the Latin domain-land which they and more especially their municipal aristocracy enjoyed, but by preserving unimpaired the rights in relation to it guaranteed to them by their charters. The opposite party was in the unfortunate position, that in the most important material questions the interests of the Italians ran diametrically counter to those of the opposition in the capital; in fact the Italians entered into a species of league with the Roman government, and sought and found protection from the senate against the extravagant designs of various Roman demagogues.

The proletariate and equestrian order under the restoration.

While the restored government was thus careful thoroughly to eradicate the germs of improvement which existed in the Gracchan constitution, it remained completely powerless in presence of the hostile powers that had been, not for the general weal, aroused by Gracchus. The proletariate of the capital continued to have a recognized title to aliment; the senate likewise acquiesced in the selection of the jurymen from the mercantile order, repugnant though this yoke was to the better and prouder portion of the aristocracy. The fetters which the aristocracy wore did not beseem its dignity; but we do not find that it seriously set itself to get rid of them. The law of Marcus Aemilius Scaurus in 632, which at least enforced the constitutional restrictions on the suffrage of freedmen, was for long the only attempt—and that a very tame one—on the part of the senatorial government once more to restrain their mob-tyrants. The proposal, which the consul Quintus Caepio seventeen years after the

122.

106. introduction of the equestrian tribunals (648) brought in for again entrusting the trials to senatorial jurymen, showed what the government wished; but showed also how little it could do, when the question was one not of squandering domains but of carrying a measure in the face of an influential order. It broke down.* The government was not emancipated from the inconvenient associates who shared its power; but these measures probably contributed still further to disturb the never sincere agreement of the ruling aristocracy with the merchant-class and the proletariate. Both were very well aware, that the senate granted all its concessions only from fear and with reluctance; permanently attached to the rule of the senate by considerations neither of gratitude nor of interest, both were very ready to render similar services to any other master who offered them more or even as much, and had no objection, if an opportunity occurred, to cheat or to thwart the senate. Thus the restoration continued to govern with the desires and opinions of a legitimate aristocracy, and with the constitution and means of government of a *tyrannis*. Its rule not only rested on the same bases as that of Gracchus, but it was equally and in fact still more deficient in strength; it was strong when in league with the populace it overthrew valuable institutions, but it was utterly powerless when it had to face the bands of the streets or the interests of the merchants. It sat on the vacated throne with an evil conscience and divided hopes, indignant at the institutions of the state which it ruled and yet incapable of even systematically assailing them, vacillating in all its conduct except where its own material advantage prompted a decision, a picture of faithlessness towards its own as well as the opposite party, of inward inconsistency, of the most pitiful impotence, of the meanest selfishness—an unsurpassed ideal of misrule.

The men of the

It could not be otherwise; the whole nation was in a

* This is apparent, as is well known, from the further course of events. In opposition to this view stress has been laid on the fact that in Valerius Maximus, vi. 9, 13, Quintus Caepio is called patron of the senate; but on the one hand this does not prove enough, and on the other hand what is there narrated does not at all suit the consul of 648, so that there must be an error either in the name or in the facts reported. 106

state of intellectual and moral decline, but especially the upper classes. The aristocracy before the period of the Gracchi was truly not over-rich in talent, and the benches of the senate were crowded by a pack of cowardly and dissolute nobles; nevertheless there sat in it Scipio Aemilianus, Gaius Laelius, Quintus Metellus, Publius Crassus, Publius Scaevola and numerous other respectable and able men, and an observer favourably predisposed might be of opinion that the senate maintained a certain moderation in injustice and a certain decorum in misgovernment. This aristocracy had been overthrown and then restored; henceforth there rested on it the curse of restoration. While the aristocracy had formerly governed outright, and for more than a century without any sensible opposition, the crisis which it had now passed through revealed to it, like a flash of lightning in a dark night, the abyss which yawned before its feet. Was it any wonder that henceforward rancour always, and terror wherever they durst, characterized the government of the lords of the old nobility? that those who governed confronted as an united and compact party, with far more sternness and violence than hitherto, the non-governing multitude? that family-policy now prevailed once more, just as in the worst times of the patriciate, so that *e. g.* the four sons and (probably) the two nephews of Quintus Metellus—with a single exception persons utterly insignificant and some of them called to office on account of their very simplicity—attained within fifteen years (631–645) all of them to the consulship, and all with one exception also to triumphs—to say nothing of sons-in-law and so forth? that the more violent and cruel the bearing of any of their partisans towards the opposite party, he received the more signal honour, and every outrage and every infamy were pardoned in the genuine aristocrat? that the rulers and the ruled resembled two parties at war in every respect, save in the fact that in their warfare no international law was recognized? It was unhappily only too palpable that, if the old aristocracy beat the people with rods, this restored aristocracy chastised it with scorpions. It returned to power; but it returned neither wiser nor better. Never hitherto had the Roman aristocracy been so utterly deficient in men of statesmanly and military capacity, as it

restoration.

123–109.

was during this epoch of restoration between the Gracchan and the Cinnan revolutions.

Marcus Aemilius Scaurus.

A significant illustration of this is afforded by the chief of the senatorial party at this time, Marcus Aemilius Scaurus. The son of highly aristocratic but not wealthy parents, and thus compelled to make use of his far from mean talents, he raised himself to the consulship (639) and censorship (645), was long the chief of the senate and the political oracle of his order, and immortalized his name not only as an orator and author, but also as the originator of some of the principal public buildings executed in this century. But, if we look at him more closely, his greatly praised achievements amount merely to this much, that, as a general, he gained some cheap village triumphs in the Alps, and, as a statesman, won by his laws about voting and luxury some victories nearly as serious over the revolutionary spirit of the times. His real talent consisted in this, that, while he was quite as accessible and bribable as any other upright senator, he discerned with some cunning the moment when the matter began to be hazardous and above all by virtue of his noble and dignified appearance acted the part of Fabricius before the public. In a military point of view, no doubt, we find some honourable exceptions of able officers belonging to the highest circles of the aristocracy; but the rule was, that the noble lords, when they were to assume the command of armies, hastily read up from the Greek military manuals and the Roman annals as much as was required for holding a military conversation, and then, when in the field, acted most wisely by entrusting the real command to an officer of humble lineage and tried discretion. In fact, if a couple of centuries earlier the senate resembled an assembly of kings, these their successors played not ill the part of princes. But the incapacity of these restored aristocrats was fully equalled by their political and moral worthlessness. If the state of religion, to which we shall revert, did not present a faithful reflection of the wild dissoluteness of this epoch, and if the external history of the period did not exhibit the utter depravity of the Roman nobles as one of its most essential elements, the horrible crimes, which came to light in rapid succession among the highest circles of Rome, would alone suffice to indicate their character.

115. 109.

Administration under the restoration.

The administration, internal and external, was what was to be expected under such a government. The social ruin of Italy spread with alarming rapidity; since the aristocracy had given itself legal permission to buy out the small holders, and in its new arrogance allowed itself with growing frequency to drive them out, the farms disappeared like raindrops in the sea. That the economic oligarchy at least kept pace with the political, is shown by the expression employed about 650 by Lucius Marcius Philippus, a man of moderate democratic views, that there were among the whole burgesses hardly 2000 wealthy families. A practical commentary on this state of things was once more furnished by the servile insurrections, which during the first years of the Cimbrian war broke out annually in Italy, *e. g.* at Nuceria, at Capua, and in the territory of Thurii. This last conspiracy was so important that the urban praetor had to march with a legion against it and yet overcame the insurrection not by force of arms, but only by insidious treachery. It was moreover a suspicious circumstance, that the insurrection was headed not by a slave, but by the Roman knight Titus Vettius, whom his debts had driven to the insane step of manumitting his slaves and declaring himself their king (650). The apprehensions of the government with reference to the accumulation of masses of slaves in Italy are shown by the measures of precaution respecting the gold-washings of Victumulae, which were carried on after 611 on account of the Roman government: the lessees were at first bound not to employ more than 5000 labourers, and subsequently the workings were totally stopped by decree of the senate. Under such a government as the present there was every reason in fact for fear, if, as was very possible, a Transalpine host should penetrate into Italy and summon the slaves, who were in great part of kindred lineage, to arms.

Social state of Italy. 100. 104. 143.

The provinces.

The provinces suffered still more in comparison. We shall have an idea of the condition of Sicily and Asia, if we endeavour to realize what would be the aspect of matters in the East Indies provided the English aristocracy were similar to the Roman aristocracy of that day. The legislation, which entrusted the mercantile class with control over the magistrates, compelled the latter to make common cause to a

certain extent with the former, and to purchase for themselves unlimited liberty of plundering and protection from impeachment by unconditional indulgence towards the capitalists in the provinces. In addition to these official and semi-official robbers, freebooters and pirates pillaged all the countries of the Mediterranean. In the Asiatic waters more especially the buccaneers carried their outrages so far that even the Roman government found itself under the necessity in 652 of despatching to Cilicia a fleet, mainly composed of the vessels of the dependent mercantile cities, under the praetor Marcus Antonius, who was invested with proconsular powers. This fleet captured a number of corsair-vessels and destroyed some strongholds; and not only so, but the Romans even settled themselves permanently there, and in order to the suppression of piracy in its chief seat, the rugged or western Cilicia, occupied strong military positions—the first step towards the establishment of the province of Cilicia, which thenceforth appears among the Roman provinces.* The design was commendable, and the scheme in itself was well devised; but the continuance and the increase of the evil of piracy in the Asiatic waters, and especially in Cilicia, unhappily showed the inadequacy of the means with which the pirates were assailed from the newly acquired position.

Piracy.

102.

Occupation of Cilicia.

Revolts of the slaves.

But nowhere did the impotence and perversity of the Roman provincial administration come to light in so naked colours as in the insurrections of the slave proletariate, which seemed

* It is assumed in many quarters that the establishment of the province of Cilicia only took place after the Cilician expedition of Publius Servilius in 676 *et seq.*, but erroneously; for as early as 662 we find Sulla (Appian, *Mithr.* 57; *B.C.* i. 77; Victor, 75), and in 674, 675, Gnaeus Dolabella (Cic. *Verr.* i. 1, 16, 44) as governors of Cilicia—which leaves no alternative but to place the establishment of the province in 652. This view is further supported by the fact that at this time the expeditions of the Romans against the corsairs—*e.g.* the Balearic, Ligurian, and Dalmatian expeditions—appear to have been ordinarily directed to the occupation of the points of the coast whence piracy issued; and this was natural, for, as the Romans had no standing fleet, the only means of effectually checking piracy was the occupation of the coasts. It is to be remembered, moreover, that the idea of a *provincia* did not absolutely involve possession of the country, but in itself implied no more than an independent military command; it is very possible, that the Romans in the first instance occupied nothing in this rugged country save stations for their vessels and troops.

78. 92. 80. 79. 102.

The plain of eastern Cilicia remained down to the war against Tigranes attached to the Syrian empire (Appian, *Syr.* 48); the districts to the north of the Taurus formerly reckoned as belonging to Cilicia—Cappadocian Cilicia, as it was called, and Cataonia—belonged to Cappadocia, the former from the time of the breaking up of the kingdom of Attalus (Justin, xxxvii. 1; see above, p. 59), the latter probably even from the time of the peace with Antiochus.

to have revived on their former footing simultaneously with the restoration of the aristocracy. These insurrections of the slaves swelling from revolts into wars—which had emerged just about 620 as one, and that perhaps the proximate, cause of the Gracchan revolution—were renewed and repeated with dreary uniformity. Again, as thirty years before, a ferment pervaded the body of slaves throughout the Roman empire. We have already mentioned the Italian conspiracies. The miners in the Attic silver-mines rose in revolt, occupied the promontory of Sunium, and issuing thence pillaged for a length of time the surrounding country. Similar movements appeared at other places. But the chief seat of these fearful commotions was once more Sicily with its plantations and its hordes of slaves brought thither from Asia Minor. It is significant of the greatness of the evil, that an attempt of the government to check the worst iniquities of the slaveholders was the immediate cause of the new insurrection. That the free proletarians in Sicily were little better than the slaves, had been shown by their attitude in the first insurrection (p. 85); after it was subdued, the Roman speculators took their revenge and reduced numbers of the free provincials into slavery. In consequence of a sharp enactment issued against this by the senate in 650, Publius Licinius Nerva, the governor of Sicily at the time, appointed a court for deciding on claims of freedom to sit in Syracuse. The court went earnestly to work; in a short time decision was given in eight hundred processes against the slave-owners, and the number of causes in dependence was daily on the increase. The terrified planters hastened to Syracuse, to compel the Roman governor to suspend such unparalleled administration of justice; Nerva was weak enough to let himself be terrified, and in harsh language informed the non-free persons requesting trial that they should forego their troublesome demand for right and justice and should instantly return to those who called themselves their masters. Those who were thus dismissed, instead of doing as he bade them, formed a conspiracy and went to the mountains. The governor was not prepared for military measures, and even the wretched militia of the island was not immediately at hand; so that he concluded an alliance with one of the best known captains of

134.

The second Sicilian slave-war.

104.

banditti in the island, and induced him by the promise of personal pardon to betray the revolted slaves into the hands of the Romans. He thus gained the mastery over this band. But another band of runaway slaves succeeded in defeating a division of the garrison of Enna (Castrogiovanni); and this first success procured for the insurgents—what they especially needed—arms and reinforcements. The armour of their fallen or fugitive opponents furnished the first basis of their military organization, and the number of the insurgents soon swelled to many thousands. These Syrians in a foreign land already, like their predecessors, seemed to themselves not unworthy to be governed by kings, as were their countrymen at home; and—parodying the trumpery king of their native land down to the very name—they placed the slave Salvius at their head as king Tryphon. In the district between Enna and Leontini (Lentini) where these bands had their head-quarters, the open country was wholly in the hands of the insurgents and Morgantia and other walled towns were already besieged by them, when the Roman governor with his hastily collected Sicilian and Italian troops fell upon the slave-army in front of Morgantia. He occupied the undefended camp; but the slaves, although surprised, made a stand. In the combat that ensued the levy of the island not only gave way at the first onset, but, as the slaves allowed every one who threw down his arms to escape unhindered, the militia almost without exception embraced the good opportunity of taking their departure, and the Roman army completely dispersed. Had the slaves in Morgantia been willing to make common cause with their comrades before the gates, the town was lost; but they preferred to accept the gift of freedom in legal form from their masters, and by their valour helped them to save the town—whereupon the Roman governor declared the promise of liberty solemnly given to the slaves by the masters to be void in law, as having been illegally extorted.

Athenion.

While the revolt thus spread after an alarming manner in the interior of the island, a second broke out on the west coast. It was headed by Athenion. He had formerly been, just like Cleon, a dreaded captain of banditti in his native country of Cilicia, and had been carried thence as a slave to Sicily. He secured, just as his predecessors had done, the

adherence of the Greeks and Syrians especially by prophecies and other edifying impostures. Skilled however in war and sagacious as he was, he did not, like the other leaders, arm the whole mass that flocked to him, but formed out of the men able for warfare an organized army, while he assigned the remainder to peaceful employment. In consequence of his strict discipline, which repressed all vacillation and all insubordinate movement in his troops, and his gentle treatment of the peaceful inhabitants of the country and even of the captives, he gained rapid and great successes. The Romans were on this occasion disappointed in the hope that the two leaders would fall out; Athenion voluntarily submitted to the far less capable king Tryphon, and thus preserved unity among the insurgents. These soon ruled with virtually absolute power over the flat country, where the free proletarians again took part more or less openly with the slaves; the Roman authorities were not in a position to take the field against them, and had to rest content with protecting the towns, which were in the most lamentable plight, by means of the militia of Sicily and that of Africa brought over in all haste. The administration of justice was suspended over the whole island, and force was the only law. As no cultivator living in town ventured any longer beyond the gates, and no countryman ventured into the towns, the most fearful famine set in, and the town-population of this island which formerly fed Italy had to be supported by the Roman authorities sending supplies of grain. Moreover, conspiracies of the town-slaves everywhere threatened to break out within, while the insurgent armies lay before the walls; even Messana was within a hair's breadth of being conquered by Athenion.

Difficult as it was for the government during the serious war with the Cimbri to place a second army in the field, it could not avoid sending in 651 an army of 14,000 Romans and Italians, not including the transmarine militia, under the praetor Lucius Lucullus to the island. The united slave-army was stationed in the mountains above Sciacca, and accepted the battle which Lucullus offered. The better military organization of the Romans gave them the victory; Athenion was left for dead on the field, Tryphon 103.

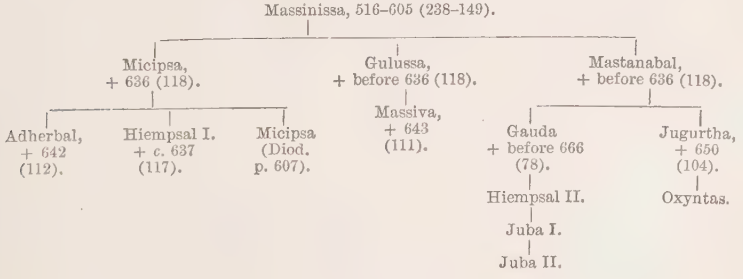
had to throw himself into the mountain-fortress of Triocala; the insurgents deliberated earnestly whether it was possible to continue the struggle longer. But the party, which was resolved to hold out to the last man, retained the ascendancy; Athenion, who had been saved in a marvellous manner, reappeared among his troops and revived their sunken courage; above all, Lucullus with incredible negligence took not the smallest step to follow up his victory; in fact, he is said to have intentionally disorganized the army and to have burned his field baggage, with a view to screen the total inefficacy of his administration and not to be cast into the shade by his successor. Whether this was true or not, his
102. successor Gaius Servilius (652) obtained no better results; and both generals were afterwards criminally indicted and condemned for their conduct in office—which, however, was not at all a certain proof of their guilt. Athenion, who
102. after the death of Tryphon (652) was invested with the sole command, stood victorious at the head of a considerable
101. army, when in 653 Manius Aquillius, who had during the
Aquillius. previous year distinguished himself under Marius in the war with the Teutones, was as consul and governor entrusted with the conduct of the war. After two years of hard conflicts—Aquillius is said to have fought in person with Athenion, and to have killed him in single combat—the Roman general at length put down the desperate resistance, and vanquished the insurgents in their last retreats by famine. The slaves on the island were prohibited from bearing arms and peace was again restored to it, or, in other words, its recent scourges were relieved by its former tormentors; in fact, the victor himself occupied a prominent place among the numerous and energetic robber-magistrates of this period. Any one who still required a proof of the internal quality of the government of the restored aristocracy might be referred to the origin and to the conduct of this second Sicilian slave-war, which lasted for five years.

The dependent states. But wherever the eye turned throughout the wide sphere of Roman administration, the same causes and the same effects appeared. If the Sicilian slave-war showed how far the government was from being equal to even its simplest task of keeping in check the proletariate, contemporary

events in Africa displayed the skill with which the Romans now governed the dependent states. About the very time when the Sicilian slave-war broke out, there was exhibited before the eyes of the astonished world the spectacle of an unimportant client-prince able to carry out a fourteen years' usurpation and insurrection against the mighty republic which had shattered the kingdoms of Macedonia and Asia with one blow of its weighty arm—and that not by means of arms, but through the pitiful character of its rulers.

Numidia. The kingdom of Numidia stretched from the river Molochath to the great Syrtis (ii. 217), bordering on the one side with the Mauretanian kingdom of Tingis (the modern Morocco) and on the other with Cyrene and Egypt, and surrounding on the west, south, and east the narrow district of coast which formed the Roman province of Africa. In addition to the old possessions of the Numidian chiefs, it embraced by far the greatest portion of the territory which Carthage had possessed in Africa during the times of its prosperity—including several important Old-Phoenician cities, such as Hippo Regius (Bona) and Great Leptis (Lebidah)—altogether the largest and best part of the rich seaboard of Northern Africa. Numidia was beyond question, next to Egypt, the most considerable of all the Roman client-states. After the death of Massinissa (605), Scipio 149. had divided the sovereign functions of that prince among his three sons, the kings Micipsa, Gulussa, and Mastanabal, in such a way that the firstborn obtained the residency and the state-chest, the second the charge of war, and the third the administration of justice (p. 35). Now after the death of his two brothers Massinissa's eldest son, Micipsa,* reigned

* The following table exhibits the genealogy of the Numidian princes:—



alone, a feeble peaceful old man, who occupied himself more with the study of Greek philosophy than with affairs of state. As his sons were not yet grown up, the reins of government were practically held by an illegitimate nephew of the king,
Jugurtha. the prince Jugurtha. Jugurtha was no unworthy grandson of Massinissa. He was a handsome man and a skilled and courageous rider and hunter; his countrymen held him in high honour as a clear and sagacious administrator, and he had displayed his military ability as leader of the Numidian contingent before Numantia under the eyes of Scipio. His position in the kingdom, and the influence which he possessed with the Roman government by means of his numerous friends and war-comrades, made it appear to king Micipsa
120. advisable to adopt him (634), and to arrange in his testament that his own two elder sons Adherbal and Hiempsal, and his adopted son Jugurtha along with them, should inherit and govern the kingdom, just as he himself had done in conjunction with his two brothers. For greater security this arrangement was placed under the guarantee of the Roman government.

The war for the Numidian succession. [118. Soon afterwards, in 636, king Micipsa died. The testament came into force: but the two sons of Micipsa—the vehement Hiempsal still more than his weak elder brother—soon came into so violent collision with their cousin whom they looked on as an intruder into the legitimate line of succession, that the idea of a joint reign of the three kings had to be abandoned. An attempt was made to carry out a division of the heritage; but the quarrelling kings could not agree as to their quotas of land and treasure, and the protecting power, to which the duty of decision by right belonged, gave itself, as usual, no concern about these affairs. A rupture took place; Adherbal and Hiempsal were disposed to characterise their father's testament as surreptitious and altogether to dispute Jugurtha's right of joint inheritance, while on the other hand Jugurtha came forward as a pretender to the whole kingdom. While the discussions as to the partition were still going on, Hiempsal was made away with by hired assassins; then a civil war arose between Adherbal and Jugurtha, in which all Numidia took part.

With his less numerous but better disciplined and better led troops Jugurtha conquered, and seized the whole territory of the kingdom, subjecting the chiefs who adhered to his cousin to the most cruel persecution. Adherbal escaped to the Roman province and proceeded to Rome to make his complaint there. Jugurtha had expected this, and had made his arrangements to meet the threatened intervention. In the camp before Numantia he had learned more from Rome than a lesson in tactics; the Numidian prince, introduced to the circles of the Roman aristocracy, had at the same time been initiated into the intrigues of Roman coteries, and had studied at the fountain-head what might be expected from Roman nobles. Even then, sixteen years before Micipsa's death, he had entered into disloyal negotiations as to the Numidian succession with Roman comrades of rank, and Scipio had been under the necessity of gravely reminding him that it was becoming in foreign princes to be on terms of friendship with the Roman state rather than with individual Roman citizens. The envoys of Jugurtha appeared in Rome, furnished with something more than words: that they had chosen the right means of diplomatic persuasion, was shown by the result. The most zealous champions of Adherbal's just title were with incredible rapidity convinced that Hiempsal had been put to death by his subjects on account of his cruelty, and that the author of the war as to the succession was not Jugurtha, but Adherbal. Even the leading men in the senate were shocked at the scandal; Marcus Scaurus sought to check it, but in vain. The senate passed over what had taken place in silence, and ordained that the two surviving testamentary heirs should have the kingdom equally divided between them, and that, for the prevention of fresh quarrels, the division should be undertaken by a commission of the senate. This was done: the consular Lucius Opimius, well-known through his services in setting aside the revolution, had embraced the opportunity of gathering the reward of his patriotism, and had got himself placed at the head of the commission. The division turned out thoroughly in favour of Jugurtha, and not to the disadvantage of the commissioners; Cirta (Constantine) the capital with its port of Rusicade (Philippeville) was no doubt given to Adherbal,

but by that very arrangement the portion which fell to him was the eastern part of the kingdom consisting almost wholly of sandy deserts, while Jugurtha obtained the fertile and populous western half (what was afterwards Mauretania Caesariensis and Sitifensis).

Siege of Cirta.

This was bad; but matters soon became worse. In order to be able under the semblance of self-defence to defraud Adherbal of his portion, Jugurtha provoked him to war; but when the weak man, rendered wiser by experience, allowed Jugurtha's horsemen to ravage his territory unhindered and contented himself with lodging complaints at Rome, Jugurtha, impatient of ceremony, began the war even without pretext. Adherbal was totally defeated in the region of the modern Philippeville, and threw himself into his capital of Cirta in the immediate vicinity. While the siege was in progress, and Jugurtha's troops were daily skirmishing with the numerous Italians who were settled in Cirta and who took a more vigorous part in the defence of the city than the Africans themselves, the commission despatched by the Roman senate on Adherbal's first complaint made its appearance; composed, of course, of young inexperienced men, such as the government of those times regularly employed in the ordinary missions of the state. The envoys demanded that Jugurtha should allow them as deputed by the protecting power to Adherbal to enter the city, and generally that he should suspend hostilities and accept their mediation. Jugurtha summarily rejected both demands, and the envoys hastily returned home—like boys, as they were—to report to the fathers of the city. The fathers listened to the report, and allowed their countrymen in Cirta just to fight on as long as they pleased. It was not till, in the fifth month of the siege, a messenger of Adherbal stole through the entrenchments of the enemy and a letter of the king full of the most urgent entreaties reached the senate, that the latter roused itself and actually resolved—not to declare war as the minority demanded, but to send a new embassy—an embassy, however, headed by Marcus Scaurus, the great conqueror of the Taurisci and the freedmen, the imposing hero of the aristocracy, whose mere appearance would suffice to bring the refractory king to a different mind. In fact Jugurtha

appeared, as he was bidden, at Utica to discuss the matter with Scaurus; endless debates were held; when at length the conference was concluded, not the slightest result had been obtained. The embassy returned to Rome without having declared war, and the king went back again to the siege of Cirta. Adherbal found himself reduced to extremities and despaired of Roman support; the Italians in Cirta moreover, weary of the siege and firmly relying for their own safety on the terror of the Roman name, urged a surrender. So the town capitulated. Jugurtha ordered his adopted brother to be executed amid cruel tortures, and all the adult male population of the town, Africans as well as Italians, to be put to the sword (642). 112.

Roman intervention.

A cry of indignation rose throughout Italy. The minority in the senate itself and every one out of the senate unanimously condemned the government, with whom the honour and interest of the country seemed mere commodities for sale; loudest of all was the condemning voice of the mercantile class, which was most directly affected by the sacrifice of the Roman and Italian merchants at Cirta. It is true that the majority of the senate still struggled; they appealed to the class-interests of the aristocracy, and set in motion all their contrivances of obstruction and delay, with a view to preserve still longer the peace which they loved. But when Gaius Memmius, designated as tribune of the people for next year, an active and eloquent man, brought the matter publicly forward and threatened in his capacity of tribune to call the worst offenders to judicial account, the senate permitted war to be declared against Jugurtha (642-3). The step seemed taken in earnest. The envoys of Jugurtha were dismissed from Italy without being admitted to an audience; the new consul Lucius Calpurnius Bestia, who was distinguished, among the members of his order at least, by judgment and activity, prosecuted the warlike preparations with energy; Marcus Scaurus himself took the post of a commander in the African army. In a short time a Roman army was on African ground, and marching upward along the Bagradas (Mejerdah) advanced into the Numidian kingdom, where the towns most remote from the seat of the royal power, such as Great Leptis, voluntarily 112–111.

sent in their submission, while Bocchus king of Mauretania, although his daughter was married to Jugurtha, offered friendship and alliance to the Romans. Jugurtha himself lost courage, and sent envoys to the Roman head-quarters to request an armistice. The end of the contest seemed near, and came still more rapidly than was expected. The treaty with Bocchus broke down, because the king, unacquainted with Roman customs, had conceived that he should be able to conclude a treaty so advantageous for the Romans without any gratuity, and therefore had neglected to furnish his envoys with the usual market price of Roman alliances. Jugurtha at all events knew Roman institutions better, and had not omitted to support his proposals for an armistice by a due accompaniment of money; but he too was deceived. After the first negotiations it turned out that not an armistice merely but a peace was purchaseable at the Roman head-quarters. The royal treasury was still well filled with the savings of Massinissa; the transaction was soon settled. The treaty was concluded, after it had been for the sake of form submitted to a council of war, whose consent was procured after an irregular and extremely summary discussion. Jugurtha submitted at discretion; but the victor was merciful and gave him back his kingdom undiminished, in consideration of his paying a moderate fine and delivering up the Roman deserters and the war elephants (643); the greater part of the latter the king afterwards repurchased by bargaining with the individual Roman commandants and officers.

Treaty between Rome and Numidia. 111.

On the news of this peace the storm once more broke forth in Rome. Everybody knew how the peace had been brought about; even Scaurus was evidently open to bribery, only at a price higher than the ordinary senatorial average. The legal validity of the peace was seriously assailed in the senate; Gaius Memmius declared that the king, if he had really submitted unconditionally, could not refuse to appear in Rome, and that he should accordingly be summoned before them, with the view of ascertaining how the matter actually stood as to the thoroughly irregular negotiations for peace by hearing the two contracting parties. They yielded to the inconvenient demand: but at the same time granted a safe-conduct to the king inconsistently with the law, for he came

not as an enemy, but as one who had made his submission. Thereupon the king actually appeared at Rome and presented himself to be heard before the assembled people, which was with difficulty induced to respect the safe-conduct and to refrain from tearing in pieces on the spot the murderer of the Italians at Cirta. But scarcely had Gaius Memmius addressed his first question to the king, when one of his colleagues interfered in virtue of his veto and enjoined the king to be silent. Here too African gold was more powerful than the will of the sovereign people and of its supreme magistrates. Meanwhile the discussions respecting the validity of the peace so concluded went on in the senate, and the new consul Spurius Postumius Albinus zealously supported the proposal to cancel it, in the expectation that in that case the chief command in Africa would devolve on him. This induced Massiva, a grandson of Massinissa living in Rome, to assert before the senate his claims to the vacant Numidian kingdom; upon which Bomilcar, one of the confidants of king Jugurtha, doubtless under his instructions made away with the rival of his master by assassination, and, when he was prosecuted on account of it, escaped with Jugurtha's aid from Rome.

Cancelling of the treaty. Declaration of war. 111–110.

This new outrage perpetrated under the eyes of the Roman government was at least so far effectual, that the senate now cancelled the peace and dismissed the king from the city (winter of 643-644). The war was accordingly resumed, and the consul Spurius Albinus was invested with the command (644). But the African army down to its lowest ranks was in a state of disorganization corresponding to such a political and military superintendence. Not only had discipline ceased and the spoliation of Numidian townships and even of the Roman provincial territory become during the suspension of hostilities the chief business of the Roman soldiery, but not a few officers and soldiers had as well as their generals entered into secret understanding with the enemy. It is easy to see that such an army could do nothing in the field; and if Jugurtha on this occasion bribed the Roman general into inaction, as was afterwards judicially asserted against the latter, he did in truth what was superfluous. Spurius Albinus therefore contented himself with doing

110.

nothing. On the other hand his brother who after his departure assumed the interim command—the equally foolhardy and incapable Aulus Postumius—in the middle of winter fell on the idea of seizing by a bold *coup de main* the treasures of the king, which were kept in the town of Suthul (afterwards Calama, now Guelma) difficult of access and still more difficult of conquest. The army set out thither and reached the town; but the siege was unsuccessful and without prospect of result, and, when the king who had remained for a time with his troops in front of the town went into the desert, the Roman general preferred to pursue him. This was precisely what Jugurtha intended; in a nocturnal assault, which was favoured by the difficulties of the ground and the secret understanding which Jugurtha had with some in the Roman army, the Numidians captured the Roman camp, and drove the Romans, many of whom were unarmed, before them in the most complete and disgraceful rout. The consequence was a capitulation, the terms of which—the marching off of the Roman army under the yoke, the immediate evacuation of the whole Numidian territory, and the renewal of the treaty cancelled by the senate—were dictated by Jugurtha and accepted by the Romans (in the beginning of 645).

Capitulation of the Romans. Second peace.

109.

Dissatisfaction in the capital.

This was too much to be borne. While the Africans were exulting and the prospect—thus suddenly opened up—of such an overthrow of the alien domination as had been reckoned scarcely possible was bringing numerous tribes of the free and half-free inhabitants of the desert to the standards of the victorious king, public opinion in Italy was vehemently aroused against the equally corrupt and pernicious governing aristocracy, and broke out in a storm of prosecutions which, fostered by the exasperation of the mercantile class, swept away a succession of victims from the highest circles of the nobility. On the proposal of the tribune of the people Gaius Mamilius Limetanus, in spite of the timid attempts of the senate to avert the threatened punishment, an extraordinary jury-commission was appointed to investigate the high treason that had occurred in connection with the question of the Numidian succession; and its sentences sent the two former com-

manders in chief Gaius Bestia and Spurius Albinus as well as Lucius Opimius, the head of the first African commission and the executioner withal of Gaius Gracchus, along with numerous other less notable men of the government party, guilty and innocent, into exile. That these prosecutions, however, were only intended to appease the excitement of public opinion, in the capitalist circles more especially, by the sacrifice of some of the persons chiefly compromised, and that there was in them not the slightest trace of a revolt against the aristocracy or aristocratic government in itself, is shown very clearly by the fact that no one ventured to attack the guiltiest of the guilty, the prudent and powerful Scaurus; on the contrary he was about this very time elected censor and also, incredible as it may seem, chosen as one of the presidents of the extraordinary commission of treason. Still less was any attempt even made to interfere with the functions of the government, and it was left solely to the senate to put an end to the Numidian scandal in a manner as gentle as possible for the aristocracy; for that it was time to do so, even the most aristocratic aristocrat probably began to perceive.

Cancelling of the second treaty.

The senate in the first place cancelled the second treaty of peace—to surrender to the enemy the commander who had concluded it, as was done some thirty years before, seemed according to the new ideas of the sanctity of treaties no longer necessary—and determined, this time in all earnest, to renew the war. The supreme command in Africa was entrusted, as was natural, to an aristocrat, but yet to one of the few men of quality who in a military and moral point of view were equal to the task. The choice fell on Quintus Metellus. He was, like the whole powerful family to which he belonged, in principle a rigid and unscrupulous aristocrat; as a magistrate, he, no doubt, reckoned it honourable to hire assassins for the good of the state and would probably have ridiculed the act of Fabricius towards Pyrrhus as romantic knight errantry, but he was an inflexible administrator accessible neither to fear nor to corruption, and a judicious and experienced warrior. In this respect he was so far free from the prejudices of his order that he selected as his lieutenants not men of rank, but the

Metellus appointed to the command.

excellent officer Publius Rutilius Rufus, who was esteemed in military circles for his exemplary discipline and as the author of an altered and improved system of drill, and the brave Latin farmer's son Gaius Marius, who had risen from the pike. Attended by these and other able officers,
109. Metellus presented himself in the course of 645 as consul and commander in chief to the African army, which he found in such disorder that the generals had not hitherto ventured to lead it into the enemy's territory and it was formidable to none save the unhappy inhabitants of the Roman province. It was sternly and speedily reorganized,
108. and in the spring of 646* Metellus led it over the Numidian frontier. When Jugurtha perceived the altered state of things, he gave himself up as lost, and, before the struggle began, made earnest proposals for an accommodation, requesting ultimately nothing more than a guarantee for his
Renewal of the war. life. Metellus, however, was resolved and perhaps even instructed not to terminate the war except with the unconditional subjugation and execution of the daring client-prince; which was in fact the only issue that could satisfy the Romans. Jugurtha since the victory over Albinus was

* In the fascinating and clever description of this war by Sallust the chronology has been unduly neglected. The
105 war terminated in the summer of 649 (*c.* 114); if therefore Marius began his
107. management of the war as consul in 647, he held the command there in three campaigns. But the narrative describes only two, and does so rightly. To all appearance Metellus went to Africa as
109. early as 645, but, as he arrived late (*c.* 37, 44), and the reorganization of the army cost time (*c.* 44), he only began his operations in the following year; and in like manner Marius, who was likewise detained for a considerable time in Italy by his military preparations (*c.* 84), entered on the chief command either as
107. consul in 647 late in the season and after the close of the campaign, or only as
106. proconsul in 648; so that the two cam-
108. 107. paigns of Metellus thus fall in 646, 647,
106. 105. and those of Marius in 648, 649. With this view the circumstance also very well accords, that the battle at the Muthul and the siege of Zama must, from the relation in which they stand to Marius' candidature for the consulship, be necessarily placed in 646. In no case can the author be pronounced free from inaccuracies; Marius, for instance, is even spoken of by him as consul in 649.

The question would be easily settled, if the senate had prolonged the command of Metellus and that prolongation had delayed Marius' departure; for this could not apply to the campaign of 646, for which Marius could make no claim at all to the command, but only to that of 647. But that hypothesis, hitherto current, rests only on an interpolation of *c.* 73, 7 wanting in the best manuscripts of both families, and is in itself improbable, for the decree of the senate could not in law trench on the resolution of the people, and Sallust nowhere says one word as to Marius having voluntarily yielded so far, but rather the contrary. At the defective passage referred to there stood probably something quite different—perhaps: [*ei* (*Mario*) *uti Gallia provincia es*] *set, paulo* [*ante senatus*] *decreverat; ea res frustra fuit.*

regarded as the deliverer of Libya from the rule of the hated foreigners; unscrupulous and cunning as he was, and unwieldy as was the Roman government, he might at any time even after a peace rekindle the war in his native country; tranquillity would not be secured, and the removal of the African army would not be possible, until king Jugurtha should cease to exist. Officially Metellus gave evasive answers to the proposals of the king; secretly he instigated the envoys to deliver their master dead or alive to the Romans. But, when the Roman general undertook to compete with the African in the field of assassination, he there met his master; Jugurtha saw through the scheme, and, when he could not do otherwise, prepared for a desperate resistance.

Battle on the Muthul.

Beyond the utterly barren mountain-range, over which lay the route of the Romans into the interior, a plain of eighteen miles in breadth extended as far as the river Muthul, which ran parallel to the mountain-chain. The plain was destitute of water and of trees except in the immediate vicinity of the river, and was only intersected by a ridge of hills covered with low brushwood. On this ridge of hills Jugurtha awaited the Roman army. His troops were arranged in two masses; the one, including a part of the infantry and the elephants, under Bomilcar at the point where the ridge abutted on the river, the other, embracing the flower of the infantry and all the cavalry, higher up towards the mountain-chain, concealed by the bushes. On debouching from the mountains, the Romans saw the enemy in a position completely commanding their right flank; and, as they could not possibly remain on the bare and arid crest of the chain and were under the necessity of reaching the river, they had to solve the difficult problem of gaining the stream through the entirely open plain of eighteen miles in breadth, under the eyes of the enemy's horsemen and without light cavalry of their own. Metellus despatched a detachment under Rufus straight towards the river, to pitch a camp there; the main body marched from the defiles of the mountain-chain in an oblique direction through the plain towards the ridge of hills, with a view to dislodge the enemy from the latter. But this march in the plain threatened to

become the destruction of the army; for, while Numidian infantry occupied the mountain defiles in the rear of the Romans as the latter evacuated them, the Roman attacking column found itself assailed on all sides by swarms of the enemy's horse, who charged down on it from the ridge. The constant onset of the hostile swarms hindered the advance, and the battle threatened to resolve itself into a number of confused and detached conflicts; while at the same time Bomilcar with his division detained the corps under Rufus, to prevent it from hastening to the help of the hard-pressed main army. Nevertheless Metellus and Marius with a couple of thousand soldiers succeeded in reaching the foot of the ridge; and the Numidian infantry which defended the heights, in spite of their superior numbers and favourable position, fled almost without resistance when the legionaries charged at a rapid pace up the hill. The Numidian infantry held its ground equally ill against Rufus; it was scattered at the first charge, and the elephants were all killed or captured on the broken ground. Late in the evening the two Roman divisions, each victorious on its own part and each anxious as to the fate of the other, met between the two fields of battle. It was a battle attesting alike the uncommon military talent of Jugurtha and the indestructible solidity of the Roman infantry, which alone had converted their strategical defeat into a victory. Jugurtha sent home a great part of his troops after the battle, and restricted himself to a guerilla warfare, which he likewise managed with skill.

Numidia occupied by the Romans.

The two Roman columns, the one led by Metellus, the other by Marius—who, although by birth and rank the humblest, occupied since the battle on the Muthul the first place among the chiefs of the staff—traversed the Numidian territory, occupied the towns, and, when any place did not readily open its gates, put to death the adult male population. But the most considerable of the towns in the valley of the Bagradas, Zama, opposed to the Romans a serious resistance which the king energetically supported. He was even successful in surprising the Roman camp; and the Romans found themselves at last compelled to abandon the siege and to go into winter quarters. For the sake of more

easily provisioning his army Metellus, leaving behind garrisons in the conquered towns, transferred it into the Roman province, and employed the opportunity of suspended hostilities to institute fresh negotiations, showing a disposition to grant to the king a peace on tolerable terms. Jugurtha readily entered into them; he had at once bound himself to pay 200,000 pounds of silver, and had even delivered up his elephants and 300 hostages, as well as 3000 Roman deserters who were immediately put to death. At the same time, however, the king's most confidential counsellor, Bomilcar—who not unreasonably apprehended that, if peace should ensue, Jugurtha would deliver him up as the murderer of Massiva to the Roman courts—was gained by Metellus and induced, in consideration of an assurance of impunity as respected that murder and of great rewards, to promise that he would deliver the king alive or dead into the hands of the Romans. But neither that official negotiation nor this intrigue led to the desired result. When Metellus brought forward the suggestion that the king should give himself up in person as a prisoner, the latter broke off the negotiations; Bomilcar's intercourse with the enemy was discovered, and he was arrested and executed. These diplomatic cabals of the meanest kind admit of no apology; but the Romans had every reason to aim at the possession of the person of their antagonist. The war had reached a point, at which it could neither be carried farther nor abandoned. The state of feeling in Numidia was evinced by the revolt of Vaga,* the most considerable of the cities occupied by the Romans, in the winter of 646–7; on which occasion the whole Roman garrison, officers and men, were put to death with the exception of the commandant Titus Turpilius Silanus, who was afterwards—whether rightly or wrongly, we cannot tell—condemned to death by a Roman court-martial and executed for having an understanding with the enemy. The town was surprised by Metellus on the second day after its revolt, and given over to all the rigour of martial law; but if such was the temper of the easily reached and comparatively submissive dwellers on the banks of the Bagradas, what might be 108–107.

* Or Vacca, now Beja on the Mejerdah.

expected farther inland and among the roving tribes of the desert? Jugurtha was the idol of the Africans, who readily overlooked the double fratricide in the liberator and avenger of their nation. Twenty years afterwards a Numidian corps which was fighting in Italy for the Romans had to be sent back in all haste to Africa, when the son of Jugurtha appeared in the enemy's ranks; we may infer from this, how great was the influence which he himself exercised over his people. What prospect was there of a termination of the struggle in regions where the combined peculiarities of the population and of the soil allowed a leader who had once secured the sympathies of the nation to protract the war in endless guerilla conflicts, or even to let it sleep for a time in order to revive it at the right moment with renewed vigour?

War in the desert. [107. When Metellus again took the field in 647, Jugurtha nowhere held his ground against him; he appeared now at one point, now at another far distant; it seemed as if they would as easily get the better of the lions as of these horsemen of the desert. A battle was fought, a victory was won; but it was difficult to say what had been gained by the victory. The king had vanished out of sight in the distance. In the interior of the modern beylik of Tunis, close on the edge of the great desert and separated from the valley of the Mejerdah by an arid and treeless steppe of forty-five miles in breadth, there were situated amidst oases provided with springs two strong places, Thala to the north (afterwards Thelepte, near Husch-el-Cheme), and Capsa (Kafsa) farther south; Jugurtha had retired to the former town with his children, his treasures, and the flower of his troops, there to await better times. Metellus ventured to follow the king through a desert, in which his troops had to carry water along with them in skins; Thala was reached and fell after a forty days' siege; but the Roman deserters destroyed the most valuable part of the booty along with the building in which they burnt themselves after the capture of the town, and—what was of more consequence—king Jugurtha escaped with his children and his chest. Numidia was no doubt virtually in the hands of the Romans; but, instead of their object being thereby gained, the war seemed only to extend

over a field wider and wider. In the south the free Gaetulian tribes of the desert began at the call of Jugurtha a national war against the Romans. In the west Bocchus king of Mauretania, whose friendship the Romans had in earlier times despised, seemed now not indisposed to make common cause with his son-in-law against them; he not only received him at his court, but, uniting to Jugurtha's followers his own numberless swarms of horsemen, he marched into the region of Cirta, where Metellus was in winter-quarters. They began to negotiate: it was clear that in the person of Jugurtha he held in his hands the real prize of the struggle for Rome. But what were his intentions —whether to sell his son-in-law dear to the Romans, or to take up the national war in concert with that son-in-law— neither the Romans nor Jugurtha nor perhaps even the king himself knew; and he was in no hurry to abandon his ambiguous position.

Mauretanian complications.

Thereupon Metellus left the province, which he had been compelled by decree of the people to give up to his former lieutenant Marius who was now consul; and the latter assumed the supreme command for the next campaign in 648. He was indebted for it in some degree to a revolution. Relying on the services which he had rendered and at the same time on oracles which had been communicated to him, he had resolved to come forward as a candidate for the consulship. If the aristocracy had supported the constitutional, and in other respects quite justifiable, candidature of this able man, who was not at all inclined to take part with the opposition, nothing would have come of the matter but the enrolment of a new family in the consular Fasti. Instead of this the man of non-noble birth, who aspired to the highest public dignity, was reviled by the whole governing caste as a daring innovator and revolutionist; just as the plebeian candidate had been formerly treated by the patricians, but now without any formal ground in law. The brave officer was sneered at in sharp language by Metellus— Marius was told that he might wait with his candidature till Metellus' son, a beardless boy, could be his colleague—and he was with the worst grace suffered to leave almost at the last moment, that he might appear in the capital as a candidate

Marius commander-in-chief.

106.

107. for the consulship of 647. There he amply retaliated on his general the wrong which he had suffered, by criticising before the gaping multitude the conduct of the war and the administration of Metellus in Africa in a manner as unmilitary as it was disgracefully unfair; and he did not even disdain to serve up to the darling populace—always whispering about secret conspiracies equally unprecedented and indubitable on the part of their noble masters—the silly story, that Metellus was designedly protracting the war in order to remain as long as possible commander-in-chief. To the idlers of the streets this was quite clear: numerous persons unfriendly for reasons good or bad to the government, and especially the justly indignant mercantile order, desired nothing better than such an opportunity of annoying the aristocracy in its most sensitive point: he was elected to the consulship by an enormous majority, and not only so, but, while in other cases by the law of Gaius Gracchus the duty of determining the respective functions to be assigned to the consuls lay with the senate (p. 124), he was exceptionally invested by decree of the people with the supreme command in the African war.

106. Conflicts without result.

Accordingly he succeeded Metellus in 648; but his confident promise to do better than his predecessor and to deliver Jugurtha bound hand and foot with all speed at Rome was more easily given than fulfilled. Marius carried on a desultory warfare with the Gaetulians; he reduced several towns that had not previously been occupied; he undertook an expedition to Capsa which surpassed even that of Thala in difficulty, took the town by capitulation, and in spite of the convention caused all the adult men in it to be slain—the only means, no doubt, of preventing the renewed revolt of that remote city of the desert; he attacked a mountain-stronghold—situated on the river Molochath, which separated the Numidian territory from the Mauretanian—whither Jugurtha had conveyed his treasure-chest, and, just as he was about to desist from the siege in despair of success, fortunately gained possession of the impregnable fastness through the *coup de main* of some daring climbers. Had his object merely been to harden the army by bold razzias and to procure booty for the soldiers, or even to eclipse

the march of Metellus into the desert by an expedition [illegible] this method of warfare might be allowed to pass unchallenged; but the main object to be aimed at, and which Metellus had steadily and perseveringly kept in view—the capture of Jugurtha—was in this way utterly set aside. The expedition of Marius to Capsa was an adventure as aimless, as that of Metellus to Thala had been judicious; but the expedition to the Molochath, which passed along the border of, if not into, the Mauretanian territory, was directly repugnant to sound policy. King Bocchus, in whose power it lay to bring the war to an issue favourable for the Romans or endlessly to prolong it, now concluded with Jugurtha a treaty, in which the latter ceded to him a part of his kingdom and Bocchus promised actively to support his son-in-law against Rome. The Roman army, which was returning from the river Molochath, found itself one evening suddenly surrounded by immense masses of Mauretanian and Numidian cavalry; they were obliged to fight just as the divisions stood without forming in a proper order of battle or following any leading command, and had to deem themselves fortunate when their sadly-thinned troops were brought into temporary safety for the night on two hills not far remote from each other. But the culpable negligence of the Africans intoxicated with victory wrested from them its consequences; they allowed themselves to be surprised in a deep sleep during the morning twilight by the [illegible] during the night, and were fortunately dispersed. Thereupon the Roman army continued its retreat in better order and with greater caution; but it was yet again assailed simultaneously on all the four sides and was in great danger, till the cavalry officer Lucius Cornelius Sulla first dispersed the squadrons opposed to him and then, rapidly returning from their pursuit, threw himself also on Jugurtha and Bocchus at the point where they in person pressed hard on the rear of the Roman infantry. Thus this attack also was successfully repelled; Marius brought his army back to Cirta, and took up his winter quarters there 648–9. 106-105.

Strange as it may seem, we can yet understand why [illegible] Negotiations with

war, began to make most zealous exertions to secur his friendship, which they had at first slighted and thereafter had at least not specially sought; by doing so they gained this advantage, that no formal declaration of war took place on the part of Mauretania. King Bocchus was not unwilling to return to his old ambiguous position: without dissolving his agreement with Jugurtha or dismissing him, he entered into negotiations with the Roman general respecting the terms of an alliance with Rome. When they were agreed or seemed to be so, the king requested that, for the purpose of concluding the treaty and receiving the royal captive, Marius would send to him Lucius Sulla, who was known and acceptable to the king partly from his having formerly appeared as envoy of the senate at the Mauretanian court, partly from the commendations of the Mauretanian envoys destined for Rome to whom Sulla had rendered services on their way. Marius was in an awkward position. His declining the suggestion would probably lead to a breach; his accepting it would throw his most aristocratic and bravest officer into the hands of a man more than untrustworthy, who, as every one knew, played a double game with the Romans and with Jugurtha, and who seemed almost to have contrived the scheme for the purpose of obtaining for himself provisional hostages from both sides in the persons of Jugurtha and Sulla. But the wish to terminate the war outweighed every other consideration, and Sulla agreed to undertake the perilous task which Marius suggested to him. He boldly departed under the guidance of Volux the son of king Bocchus, nor did his resolution waver even when his guide led him through the midst of Jugurtha's camp. He rejected the pusillanimous proposals of flight that came from his attendants, and marched, with the king's son at his side, uninjured through the enemy. The daring officer evinced the same decision in the discussions with the sultan, and induced him at length seriously to make his choice.

Surrender and execution of Jugurtha.

Jugurtha was sacrificed. Under the pretext that all his requests were to be granted, he was allured by his own father-in-law into an ambush, his attendants were killed, and he himself was taken prisoner. The great traitor thus

fell by the treachery of his nearest relatives. Lucius Sulla brought the crafty and restless African in chains along with his children to the Roman headquarters; and the war which had lasted for seven years was at an end. The victory was primarily associated with the name of Marius. King Jugurtha in royal robes and in chains, along with his two sons, preceded the triumphal chariot of the victor, when he entered Rome on the 1st of January 650: by his orders the 104.
son of the desert perished a few days afterwards in the subterranean city-prison, the old *tullianum* at the Capitol—the "bath of ice," as the African called it, when he crossed the threshold in order either to be strangled or to perish from cold and hunger there. But it could not be denied that Marius had the least important share in the actual successes: the conquest of Numidia up to the edge of the desert was the work of Metellus, the capture of Jugurtha was the work of Sulla, and between the two Marius played a part somewhat compromising the dignity of an ambitious upstart. Marius reluctantly tolerated the assumption by his predecessor of the name of conqueror of Numidia; he flew into a violent rage when king Bocchus afterwards consecrated a golden sculpture at the Capitol, which represented the surrender of Jugurtha to Sulla; and yet in the eyes of unprejudiced judges the services of these two threw the generalship of Marius very much into the shade —more especially Sulla's brilliant expedition to the desert, which had made his courage, his presence of mind, his acuteness, his power over men to be recognized by the general himself and by the whole army. In themselves these military rivalries would have been of little moment, if they had not been mixed up with the conflict of political parties, if the opposition had not supplanted the senatorial general by Marius, and if the party of the government had not, with the deliberate intention of exasperating, praised Metellus and still more Sulla as the military celebrities and preferred them to the nominal victor. We shall have to return to the fatal consequences of these animosities when narrating the internal history.

Reorganization of Numidia.

Otherwise, this insurrection of the Numidian client-state passed away without producing any noticeable change

either in political relations generally or even in those of the African province. By a deviation from the policy elsewhere followed at this period Numidia was not converted into a Roman province; evidently because the country could not be held without an army to protect the frontier against the barbarians of the desert, and the Romans were by no means disposed to maintain a standing army in Africa. They contented themselves accordingly with annexing the most westerly district of Numidia, probably the tract from the river Molochath to the harbour of Saldae (Bongie)—the later Mauretania Caesariensis (province of Algiers)—to the kingdom of Bocchus, and with handing over the kingdom of Numidia thus diminished to the last legitimate grandson of Massinissa still surviving, Gauda the half-brother of Ju-
108. gurtha, feeble in body and mind, who had already in 646 at the suggestion of Marius asserted his claims before the senate.* At the same time the Gaetulian tribes in the interior of Africa were received as free allies into the number of the independent nations that had treaties with Rome.

Political results. Of greater importance than this regulation of African clientship were the political consequences of the Jugurthine war or rather of the Jugurthine insurrection, although these have been frequently estimated too highly. Certainly all the evils of the government were therein brought to light in all their nakedness; it was now not merely notorious

* Sallust's political *genre*-painting of the Jugurthine war—the only picture that has preserved its colours fresh in the utterly faded and blanched tradition of this epoch—closes with the fall of Jugurtha, faithful to its style of composition, poetical, not historical; nor does there elsewhere exist any connected account of the treatment of the Numidian kingdom. That Gauda became Jugurtha's successor is indicated by Sallust *c.* 65 and Dio. *Fr.* 79, 4, Bekk., and confirmed by an inscription of Carthagena (Orell. 630), which calls him king and father of Hiempsal II. That on the east the frontier relations subsisting between Numidia on the one hand and Roman Africa and Cyrene on the other remained unchanged, is shown by Caesar (*B.C.* ii. 38; *B. Afr.* 43, 77) and by the later provincial constitution. On the other hand the nature of the case implied, and Sallust (*c.* 97, 102, 111) indicates, that the kingdom of Bocchus was considerably enlarged; with which is undoubtedly connected the fact, that Mauretania, originally restricted to the region of Tingis (Morocco), afterwards extended to the region of Caesarea (province of Algiers) and to that of Sitifis (western half of the province of Constantine). As Mauretania was twice enlarged by the Romans, first in 649 after the surrender of Jugurtha, and then in 708 after the breaking up of the Numidian kingdom, it is probable that the region of Caesarea was added on the first, and that of Sitifis on the second augmentation.

but, so to speak, judicially established, that among the governing lords of Rome everything was treated as venal—the treaty of peace and the right of intercession, the rampart of the camp and the life of the soldier; the African had said no more than the simple truth, when on his departure from Rome he declared that, if he had only gold enough, he would undertake to buy the city itself. But the whole external and internal government of this period bore the same stamp of miserable baseness. In our case the accidental fact, that the war in Africa is brought nearer to us by means of better accounts than the other contemporary military and political events, shifts the true perspective; contemporaries learned by these revelations nothing but what everybody knew long before and every intrepid patriot had long been in a position to support by facts. The circumstance, however, that they were now furnished with some fresh, still stronger and still more irrefutable, proofs of the baseness of the restored senatorial government—a baseness only surpassed by its incapacity—might have been of importance, had there been an opposition and a public opinion with which the government would have found it necessary to come to terms. But this war had in fact revealed the utter nullity of the opposition no less than it had exposed the corruption of the government. It was not possible to govern worse than the restoration governed in the years 637–645; it was not possible to be more defenceless and forlorn than was the senate in 645: had there been in Rome a real opposition, that is to say, a party which wished and urged a fundamental alteration of the constitution, it must necessarily have now made at least an attempt to overturn the restored senate. No such attempt took place; the political question was converted into a personal one, the generals were changed, and one or two useless and unimportant people were banished. It was thus settled, that the so-called popular party as such neither could nor would govern; that only two forms of government were at all possible in Rome, a *tyrannis* or an oligarchy; that, so long as there happened to be nobody sufficiently well known, if not sufficiently important, to usurp the regency of the state, the worst mismanagement endangered at the most individual oligarchs,

117–109.

109.

but never the oligarchy; that on the other hand, so soon as such a pretender appeared, nothing was easier than to shake the rotten curule chairs. In this respect the coming forward of Marius was significant, just because it was in itself so utterly unwarranted. If the burgesses had stormed the senate-house after the defeat of Albinus, it would have been natural, not to say proper; but after the turn which Metellus had given to the Numidian war, nothing more could be said of mismanagement, and still less of danger to the commonwealth, at least in that respect; and yet the first ambitious officer who turned up succeeded in doing that with which the older Africanus had once threatened the government (ii. 380), and procured for himself one of the principal military commands against the distinctly expressed will of the governing body. Public opinion, unavailing in the hands of the so-called popular party, became an irresistible weapon in the hands of the future king of Rome. We do not mean to say that Marius intended to play the pretender, at least at the time when he canvassed the people for the supreme command in Africa; but, whether he did or did not understand what he was doing, there was evidently an end of the restored aristocratic government when the comitial machine began to make generals, or, which was nearly the same thing, when every popular officer was able in legal fashion to nominate himself as general. Only one new element emerged in these preliminary crises; this was the introduction of military men and of military power into the political revolution. Whether the coming forward of Marius would be the immediate prelude of a new attempt to supersede the oligarchy by the *tyrannis*, or whether it would, as in various similar cases, pass away without further consequence as an isolated encroachment on the prerogative of the government, could not yet be determined; but it could well be foreseen that, if these rudiments of a second *tyrannis* should attain any development, it was not a statesman like Gaius Gracchus, but an officer that would become its head. The contemporary reorganization of the military system — which Marius introduced when, in forming his army destined for Africa, he disregarded the property-qualification hitherto required, and allowed even the poorest burgess, if he was

otherwise serviceable, to enter the legion as a volunteer—may have been projected by its author on purely military grounds; but it was none the less on that account a momentous political event, that the army was no longer, as formerly, composed of those who had much, no longer even, as in the most recent times, composed of those who had something, to lose, but became gradually converted into a host of people who had nothing but their arms and what the general bestowed on them. The aristocracy ruled in 650 as absolutely 104.
as in 620; but the signs of the impending catastrophe had 134.
multiplied, and on the political horizon the sword had begun to appear by the side of the crown.

CHAPTER V.

THE PEOPLES OF THE NORTH.

Relations of Rome to the north.

From the close of the sixth century the Roman community ruled over the three great peninsulas projecting from the northern continent into the Mediterranean, at least taken as a whole. Even there however—in the north and west of Spain, in the valleys of the Ligurian Apennines and the Alps, and in the mountains of Macedonia and Thrace—tribes wholly or partially free continued to defy the negligent Roman government. Moreover the continental communication between Spain and Italy as well as between Italy and Macedonia was very superficially provided for, and the countries beyond the Pyrenees, the Alps, and the Balkan chain—the great river basins of the Rhone, the Rhine, and the Danube—in the main lay beyond the political horizon of the Romans. We have now to set forth what steps were taken on the part of Rome to secure and to round off her empire in this direction, and how at the same time the great masses of peoples, who were ever moving to and fro behind that mighty mountain-screen, began to beat at the gates of the northern mountains and rudely to remind the Graeco-Roman world that it was mistaken in believing itself the sole possessor of the earth.

The country between the Alps and Pyrenees.

Let us first glance at the region between the western Alps and the Pyrenees. The Romans had for long commanded this part of the coast of the Mediterranean through their client city of Massilia, one of the oldest, most faithful, and most powerful of the allied communities dependent on Rome. Its maritime stations, Agatha (Agde) and Rhoda (Rosas) to the westward, and Tauroentium (Ciotat), Olbia (Hyères?), Antipolis (Antibes), and Nicaea (Nice) on the east secured the navigation of the coast as well as the land-

route from the Pyrenees to the Alps; and its mercantile and political connections reached far into the interior. An expedition into the Alps above Nice and Antibes, directed against the Ligurian Oxybii and Decietes, was undertaken by the Romans in 600 partly at the request of the Massiliots, partly in their own interest; and after hot conflicts, some of which were attended with much loss, this district of the mountains was compelled to furnish thenceforth standing hostages to the Massiliots and to pay them a yearly tribute. It is not improbable that about this same period the cultivation of the vine and olive, which flourished in this quarter after the model set by the Massiliots, was in the interest of the Italian landholders and merchants simultaneously prohibited throughout the territory beyond the Alps dependent on Massilia.* A similar character of financial speculation marks the war, which was waged by the Romans under the consul Appius Claudius in 611 against the Salassi respecting the gold mines and gold washings of Victumulae (in the district of Vercelli and Bard and in the whole valley of the Dorea Baltea). The great extent of these washings, which deprived the inhabitants of the country lying lower down of water for their fields, first gave rise to an attempt at mediation and then to the armed intervention of the Romans. The war, although the Romans began it like all the other wars of this period with a defeat, led at last to the subjugation of the Salassi, and the cession of the gold district to the Roman treasury. Some forty years afterwards (654) the colony of Eporedia (Ivrea) was instituted on the territory thus gained, chiefly doubtless with a view to command the western, as Aquileia commanded the eastern, passage of the Alps.

Conflicts with the Ligurians, 154.

and the Salassi. 143.

190.

These Alpine wars first assumed a more serious character, when Marcus Fulvius Flaccus, the faithful ally of Gaius Gracchus, took the chief command in this quarter as consul

Transalpine relations of Rome.

* If Cicero has not allowed himself to fall into an anachronism when he makes Africanus say this as early as 625 (*de Rep.* iii. 9), the view indicated in the text remains perhaps the only possible one. This enactment did not refer to Northern Italy and Liguria, as the cultivation of the vine by the Genuates in 637 (ii. 399, *note*) proves; and as little to the immediate territory of Massilia (Just. xliii. 4; Posidon. *Fr.* 25, Müll.; Strabo, iv. 179). The large export of wine and oil from Italy to the region of the Rhone in the seventh century of the city is well known.

125. in 629. He was the first to enter on the career of Transalpine conquest. In the much divided Celtic nation at this period the canton of the Bituriges had lost its real hegemony and retained merely an honorary presidency, and the actually leading canton in the region from the Pyrenees to the Rhine and from the Mediterranean to the Western Ocean was that of the Arverni;* so that the statement seems not quite an exaggeration, that it could bring into the field as many as 180,000 men. With them the Haedui (about Autun) carried on an unequal rivalry for the hegemony; while in north-eastern Gaul the kings of the Suessiones (about Soissons) united under their protectorate the league of the Belgic tribes extending over to Britain. Greek travellers of that period had much to tell of the magnificent state maintained by Luerius, king of the Arvernians—how, surrounded by his brilliant train of clansmen, his huntsmen with their pack of hounds in leash and his band of wandering minstrels, he travelled in a silver-mounted chariot through the towns of his kingdom, scattering the gold with a full hand among the multitude, and gladdening above all the heart of the minstrel with the glittering shower. The descriptions of the open table which he kept in an enclosure of 1500 double paces square, and to which every one who came in the way was invited, vividly remind us of the marriage-table of Camacho. In fact, the numerous Arvernian gold coins of this period still extant show that the canton of the Arvernians had attained to extraordinary wealth and a comparatively high standard of civilization.

The Arverni.

War with the Allobroges and Arverni.

The attack of Flaccus, however, was in the first instance directed not against the Arverni, but against the smaller tribes in the district between the Alps and the Rhone, where the original Ligurian inhabitants had become mixed with subsequent arrivals of Celtic bands, and there had arisen a Celto-Ligurian population resembling in this re-

125. 124. spect the Celtiberians. He fought (629, 630) with success against the Salyes or Salluvii in the region of Aix and in the valley of the Durance, and against their northern neighbours the Vocontii (in the departments of Vaucluse and Drôme);

* In Auvergne. Their capital, Nemetum or Nemossus, lay not far from Clermont.

and so did his successor Gaius Sextius Calvinus (631, 632) against the Allobroges, a powerful Celtic clan in the rich valley of the Isère, which had come at the request of the fugitive king of the Salyes, Tutomotulus, to help him to reconquer his land, but was defeated in the district of Aix. When the Allobroges nevertheless refused to surrender the king of the Salyes, Gnaeus Domitius Ahenobarbus, the successor of Calvinus, penetrated into their own territory (632). Up to this period the leading Celtic tribe had been spectators of the encroachments of their Italian neighbours; the Arvernian king Betuitus, son of the Luerius already mentioned, seemed not much inclined to enter on a dangerous war for the sake of the loose relation of clientship in which the eastern cantons might stand to him. But when the Romans showed signs of attacking the Allobroges in their own territory, he offered his mediation, the rejection of which was followed by his taking the field with all his forces to help the Allobroges; whereas the Haedui embraced the side of the Romans. On receiving accounts of the rising of the Arverni, the Romans sent the consul of 633, Quintus Fabius Maximus, to meet in concert with Ahenobarbus the impending attack. On the southern border of the canton of the Allobroges at the confluence of the Isère with the Rhone, on the 8th of August 633, the battle was fought which decided the mastery of southern Gaul. King Betuitus, when he saw the innumerable hosts of the dependent clans marching over to him on the bridge of boats thrown across the Rhone and the Romans who had not a third of their numbers forming in array against them, is said to have exclaimed that there were not enough of the latter to satisfy the dogs of the Celtic army. Nevertheless Maximus, a grandson of the victor of Pydna, achieved a decisive victory; the bridge of boats broke down under the mass of the fugitives; the greater part of the Arvernian army was destroyed. The Allobroges, to whom the king of the Arverni declared himself unable to render further assistance, and whom he advised to make their peace with Maximus, submitted to the consul; whereupon the latter, thenceforth called Allobrogicus, returned to Italy and left to Ahenobarbus the no longer distant termination of the Arvernian war. Aheno-

123. 122. 122. 121. 121.

barbus, personally exasperated at king Betuitus because he had induced the Allobroges to surrender to Maximus and not to him, possessed himself treacherously of the person of the king and sent him to Rome, where the senate, although disapproving the breach of fidelity, not only kept the betrayed captive, but gave orders that his son, Congonnetiacus, should likewise be sent to Rome. This seems to have been the reason why the Arvernian war, already almost at an end, once more broke out, and a second appeal to arms took place at Vindalium (above Avignon) at the confluence of the Sorgue with the Rhone. The result was not different from that of the first: on this occasion it was chiefly the African elephants that scattered the Celtic army. Thereupon the Arverni submitted to peace, and tranquillity was restored in the land of the Celts.*

Province of Narbo.

The result of these military operations was the institution of a new Roman province between the maritime Alps and the Pyrenees. All the tribes between the Alps and the Rhone became dependent on the Romans and, so far as they did not pay tribute to Massilia, probably became now tributaries of Rome. In the country between the Rhone and the Pyrenees the Arverni retained freedom and were not bound to pay tribute to the Romans; but they had to cede to Rome the most southerly portion of their direct or indirect territory—the district to the south of the Cevennes as far as the Mediterranean, and the upper course of the Garonne as far as Tolosa (Toulouse). As the primary object of these occupations was the establishment of a land communication between Italy and Spain, arrangements were made immediately thereafter for the construction of the road along the coast. For this purpose a belt of coast from the Alps to the Rhone, from 1 to $1\frac{3}{4}$ of a mile in breadth, was handed over to the Massiliots, who already had a series of

* The battle at Vindalium is placed by the epitomator of Livy and by Orosius before that on the Isara; but the reverse order is supported by Florus and Strabo (iv. 191), and is confirmed partly by the circumstance that Maximus, according to the epitome of Livy and Pliny *H. N.*, vii. 50, fought it when consul, partly and especially by the Capitoline Fasti, according to which Maximus not only triumphed before Ahenobarbus, but the former triumphed over the Allobroges and the king of the Arverni, the latter only over the Arverni. It is clear that the battle with the Allobroges and Arverni must have taken place earlier than that with the Arverni alone.

maritime stations along this coast, with the obligation of keeping the road in proper condition; while from the Rhone to the Pyrenees the Romans themselves laid out a military highway, which obtained from its originator Ahenobarbus the name of *Via Domitia*.

Roman settlements in the region of the Rhone.

As usual, the formation of new fortresses was combined with the construction of roads. In the eastern portion the Romans chose the spot where Gaius Sextius defeated the Celts, and where the pleasantness and fertility of the region as well as the numerous hot and cold springs invited them to settlement; a Roman township sprang up there —the "baths of Sextius," Aquae Sextiae (Aix). To the west of the Rhone the Romans settled in Narbo, an ancient Celtic town on the navigable river Atax (Aude) at a small distance from the sea, which is already mentioned by Hecataeus, and which even before its occupation by the Romans was the rival of Massilia as a place of stirring commerce, and as sharing the trade in British tin. Aquae did not obtain civic rights, but remained a standing camp;* whereas Narbo, although in like manner founded mainly as a sentinel outpost against the Celts, became, as "Mars' town," a Roman burgess-colony and the usual seat of the governor of the new Transalpine Celtic province or, as it was more frequently called, the province of Narbo.

The advance of the Romans checked by the policy of the restoration.

The Gracchan party, which suggested these extensions of territory beyond the Alps, evidently wished to open up there a new and immeasurable field for their plans of colonization,—a field which offered the same advantages as Sicily and Africa, and could be more easily wrested from the natives than the Sicilian and Libyan estates from the Italian capitalists. The fall of Gaius Gracchus, no doubt, gave occasion here also to restrictions on the acquisition of territory and still more on the founding of cities; but, if the design was not carried out in its full extent, it was at any rate not wholly frustrated. The territory acquired and,

* Aquae was not a colony, as Livy says (*Ep.* 61), but a *castellum* (Strabo, iv. 180; Velleius, i. 15; Madvig, *Opusc.* i. 303). The same holds true of Italica (p. 4), and of many other places—Vindonissa, for instance, never was in law anything else than a Celtic village, but was withal a fortified Roman camp, and a place of very considerable importance.

still more, the foundation of Narbo—a settlement on which the senate vainly endeavoured to inflict the fate of that at Carthage—remained standing as parts of an unfinished structure, exhorting the future successor of Gracchus to continue the building. It is evident that the Roman mercantile class, which was able to compete with Massilia in the Gallo-Britannic traffic at Narbo alone, protected that settlement from the assaults of the Optimates.

Illyria. A problem similar to that in the north-west had to be dealt with in the north-east of Italy; it was in like manner not wholly neglected, but was solved still more imperfectly 183. than the former. With the foundation of Aquileia (571) the Istrian peninsula came into possession of the Romans (ii. 207): in part of Epirus and the former territory of the lords of Scodra they had already ruled for some considerable Dalmatians. time previously. But nowhere did their dominion reach into the interior; and even on the coast they exercised scarcely a nominal sway over the inhospitable district between Istria and Epirus, which, with its wild series of mountain-caldrons broken neither by river-valleys nor by coast-plains and arranged like scales one above another, and with its chain of rocky islands stretching along the coast, separates rather than connects Italy and Greece. Around the town of Delmium clustered the confederacy of the Delmatians or Dalmatians, whose manners were rough as their mountains. While the neighbouring peoples had already attained a high degree of culture, the Dalmatians were as yet unacquainted with money, and divided their land without recognizing any special right of property in it, afresh every eight years among the members of the community. Brigandage and piracy were the only native trades. These tribes had in earlier times been in loose relations of dependence on the rulers of Scodra, and had been in consequence chastised by the Roman expeditions against queen Teuta (ii. 77) and Demetrius of Pharos (ii. 79); but on the accession of king Genthius they had revolted and had thus escaped the fate which involved southern Illyria in the fall of the Macedonian empire and rendered it permanently dependent on Rome (ii. 321). The Romans were glad to leave the far from attractive

region to itself. But the complaints of the Roman Illyrians, particularly of the Daorsi, who dwelt on the Narenta to the south of the Dalmatians, and of the inhabitants of the island of Issa (Lissa), whose continental stations Tragyrium (Trau) and Epetium (near Spalato) suffered severely from the natives, compelled the Roman government to despatch an embassy to the latter, and on receiving the reply that the Dalmatians had neither troubled themselves hitherto about the Romans nor would do so in future, to send thither an army in 598 under the consul Gaius Marcius Figulus. 156.
He penetrated into Dalmatia, but was again driven back into the Roman territory. It was not till his successor Their subjugation.
Publius Scipio Nasica took the large and strong town of Delmium in 599, that the confederacy conformed and 155.
professed itself subject to the Romans. But the poor and only superficially subdued country was not sufficiently important to be erected into a distinct province: the Romans contented themselves, as they had already done in the case of the more important possessions in Epirus, with having it administered from Italy along with Cisalpine Gaul; an arrangement which was, at least as a rule, retained even when the province of Macedonia had been erected in 608 and its 146.
north-western frontier had been fixed to the northward of Scodra.*

But this very conversion of Macedonia into a province The Romans in Macedonia and Thrace.
directly dependent on Rome gave to the relations of Rome with the peoples on the north-east greater importance, by imposing on the Romans the obligation of defending the everywhere exposed frontier on the north and east against the adjacent barbarian tribes; and in a similar way not long afterwards (621) the acquisition by Rome of the Thracian 133.
Chersonese (peninsula of Gallipoli) previously belonging to the kingdom of the Attalids devolved on the Romans the obligation hitherto resting on the kings of Pergamus to protect Lysimachia against the Thracians. From the double basis furnished by the valley of the Po and the province of

* P. 45. The Pirustae in the valleys of the Drin belonged to the province of Macedonia, but made forays into the neighbouring Illyricum (Caesar, *B. G.* v. 1).

Macedonia the Romans could now advance in earnest towards the region of the headwaters of the Rhine and towards the Danube, and possess themselves of the northern mountains at least so far as was requisite for the security of the south.

The tribes at the sources of the Rhine and along the Danube.

In these regions the most powerful nation at that time was the great Celtic people, which according to the native tradition (i. 361) had issued from its settlements on the Western Ocean and poured itself about the same time into the valley of the Po on the south of the main chain of the Alps and into the regions on the Upper Rhine and on the Danube to the north of that chain. Among their various tribes, both banks of the Upper Rhine were occupied by the

Helvetii.

powerful and rich Helvetii, who nowhere came into immediate contact with the Romans and so lived in peace and in treaty with them: at this time they seem to have stretched from the lake of Geneva to the river Main, and to have occupied the modern Switzerland, Suabia, and Franconia.

Boii.

Adjacent to them dwelt the Boii, whose settlements were probably in the modern Bavaria and Bohemia.* To the south-east of these we meet with another Celtic stock, which made its appearance in Styria and Carinthia under

Taurisci.

the name of the Taurisci and afterwards of the Norici, in

Carni.

Friuli, Carniola, and Istria under that of the Carni. Their city Noreia (not far from St. Veit to the north of Klagenfurt)

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* "The Helvetii dwelt," Tacitus says (*Germ.* 28), "between the Hercynian Forest (*i.e.*, here probably the Rauhe Alp), the Rhine, and the Main; the Boii farther on." Posidonius also (*ap.* Strab. vii. 293) states that the Boii, at the time when they repulsed the Cimbri, inhabited the Hercynian Forest, *i.e.*, the mountains from the Rauhe Alp to the Böhmerwald. The circumstance that Caesar transplants them "beyond the Rhine" (*B. G.* i. 5) is by no means inconsistent with this, for, as he there speaks from the Helvetian point of view, he may very well mean the country to the north-east of the lake of Constance; which quite accords with the fact, that Strabo (vii. 292) describes the former Boian country as bordering on the lake of Constance, except that he is not quite accurate in naming along with them the Vindelici as dwelling by the lake of Constance, for the latter only established themselves there after the Boii had evacuated these districts. From these settlements the Boii were dispossessed by the Marcomanni and other Germans tribes even before the time of Posidonius, consequently before 650; detached portions of them in Caesar's time roamed about in Carinthia (*B. G.* i. 5), and came thence to the Helvetii and into western Gaul; another swarm found new settlements on the Plattensee, where it was annihilated about 700 by the Getae; but the district—the "Boian desert," as it was called—preserved the name of this the most harassed of all the Celtic peoples (comp. ii. 208 *note*).

was flourishing and widely known from the iron mines that were even at that time zealously wrought in those regions; still more were the Italians at this very period allured thither by the rich seams of gold brought to light, till the natives excluded them and took this California of that day into their own hands. These Celtic hordes streaming along on both sides of the Alps had after their fashion occupied chiefly the flat and hill country; the Alpine regions proper and likewise the district along the Adige and the Lower Po were not occupied by them, and remained in the hands of the earlier indigenous population. Nothing certain has yet been ascertained as to the nationality of the latter; but they appear under the name of the Raeti in the mountains of East Switzerland and the Tyrol, and under that of the Euganei and Veneti about Padua and Venice; so that at this last point the two great Celtic streams almost touched each other, and only a narrow belt of native population separated the Celtic Cenomani about Brescia from the Celtic Carnians in Friuli. The Euganei and Veneti had long been peaceful subjects of the Romans; whereas the peoples of the Alps proper were not only still free, but made regular forays down from their mountains into the plain between the Alps and the Po, where they were not content with levying contributions, but conducted themselves with fearful cruelty in the places which they captured, not unfrequently slaughtering the whole male population down to the infant in the cradle—the practical answer, it may be presumed, to the Roman razzias in the Alpine valleys. How dangerous these Raetian inroads were, appears from the fact that one of them about 660 destroyed the considerable township of Comum.

Raeti, Euganei, Veneti.

94.

If these Celtic and non-Celtic tribes having their settlements upon and beyond the Alpine chain were already variously intermingled, there was, as may easily be conceived, a still more comprehensive intermixture of peoples in the countries on the Lower Danube, where there were no high mountain ranges, as in the more western regions, to serve as natural walls of partition. The original Illyrian population, of which the modern Albanians seem to be the last pure survivors, was throughout, at least in the interior, largely mixed with Celtic elements, and the Celtic

Illyrian peoples.

armour and Celtic method of warfare were probably everywhere introduced in that quarter. Next to the Taurisci came the Japydes, who had their settlements on the Julian Alps in the modern Croatia as far down as Fiume and Zeng,—a tribe originally doubtless Illyrian, but largely mixed with Celts. Bordering with these along the coast were the already-mentioned Dalmatians, into whose rugged mountains the Celts do not seem to have penetrated; whereas in the interior the Celtic Scordisci, to whom the tribe of the Triballi which was formerly especially powerful there had succumbed, and who had played a principal part in the Celtic expeditions to Delphi, were about this time the leading nation along the Lower Save as far as the Morava in the modern Bosnia and Servia. They roamed far and wide towards Moesia, Thrace, and Macedonia, and fearful tales were told of their savage valour and cruel customs. Their chief stronghold was the strong Segestica or Siscia at the point where the Kulpa falls into the Save. The peoples of the modern Hungary, Wallachia, and Bulgaria still remained for the present beyond the horizon of the Romans; the latter came into contact with the Thracians alone on the eastern frontier of Macedonia at the Rhodope mountains.

Japydes.

Scordisci.

Conflicts on the frontier.

It would have been no easy task for a government more energetic than was the Roman government of that day to establish an organized and adequate defence of the frontier against these wide domains of barbarism; what was done for this important object under the auspices of the government of the restoration, did not come up to even the most moderate requirements. There seems to have been no want of expeditions against the inhabitants of the Alps: in 636 there was a triumph over the Stoeni, who were probably settled in the mountains above Verona; in 659 the consul Lucius Crassus caused the Alpine valleys far and wide to be ransacked and the inhabitants to be put to death, and yet he did not succeed in killing enough of them to enable him to celebrate a village triumph and to couple the laurels of the victor with his oratorical fame. But as the Romans remained satisfied with razzias of this sort which merely exasperated the natives without rendering them harmless, and, apparently, withdrew the troops again after every such inroad,

in the Alps, 118.

95.

the state of matters in the region beyond the Po remained substantially the same as before.

in Thrace. On the Thracian frontier they appear to have given themselves little concern about their neighbours; except that there is mention made in 651 of conflicts with the Thracians, 103. and in 657 of others with the Maedi in the border mountains 97. between Macedonia and Thrace.

in Illyria. More serious conflicts took place in the Illyrian land, where complaints were constantly made as to the turbulent Dalmatians by their neighbours and those who navigated the Adriatic; and along the wholly exposed northern frontier of Macedonia, which, according to the significant expression of a Roman, extended as far as the Roman swords and spears reached, the conflicts with the barbarians never ceased. In 619 an expedition was undertaken against the Ardyaei or 135. Vardaei and the Pleraei or Paralii, a Dalmatian tribe on the coast to the north of the mouth of the Narenta, which was incessantly perpetrating outrages on the sea and on the opposite coast: by order of the Romans they removed from the coast and settled in the interior of the modern Herzegovina, where they began to cultivate the soil, but, unused to their new calling, pined away in that inclement region. At the same time an attack was directed from Macedonia against the Scordisci, who had, it may be presumed, made common cause with the assailed inhabitants of the coast. Soon afterwards (625) the consul Tuditanus in connection with the able 129. Decimus Brutus, the conqueror of the Spanish Gallaeci, humbled the Japydes, and, after sustaining a defeat at the outset, at length carried the Roman arms into the heart of Dalmatia as far as the river Kerka, 115 miles distant from Aquileia; the Japydes thenceforth appear as a nation at peace and on friendly terms with Rome. But ten years later (635) 119. the Dalmatians rose afresh, once more in concert with the Scordisci. While the consul Lucius Cotta fought against the latter and in doing so advanced apparently as far as Segestica, his colleague Lucius Metellus afterwards named Dalmaticus, the elder brother of the conqueror of Numidia, marched against the Dalmatians, conquered them and passed the winter in Salona (Spalato), which town henceforth appears as the chief stronghold of the Romans in that region.

It is not improbable that the construction of the Via Gabinia, which led from Salona in an easterly direction to Andetrium (near Much) and thence farther into the interior, falls within this period.

The Romans cross the eastern Alps,

[115. The expedition of the consul of 639, Marcus Aemilius Scaurus, against the Taurisci* presented more the character of a war of conquest. He was the first of the Romans to cross the chain of the eastern Alps at their lowest elevation between Trieste and Laybach, and contracted hospitable relations with the Taurisci; which secured a not unimportant commercial intercourse without involving the Romans, as a formal subjugation would have involved them, in the commotions of the peoples to the north of the Alps. The attacks about the same time directed from Macedonia towards the Danube yielded at first a very unfavourable result: the

114. consul of 640, Gaius Porcius Cato, was surprised in the Servian mountains by the Scordisci, and his army completely destroyed, while he himself with a few attendants disgracefully fled. With difficulty the praetor Marcus Didius protected the Roman frontier. His successors fought with

and reach the Danube.

113–112. 112–111. 110. better fortune, Gaius Metellus Caprarius (641, 642,) Marcus Livius Drusus (642, 643), the first Roman general who reached the Danube, and Marcus Minucius (644), who carried his arms along the Morava† and so thoroughly defeated the Scordisci, that they thenceforth sank into insignificance, and in their room another tribe, the Dardani (in Servia), began to play the leading part in the region between the northern frontier of Macedonia and the Danube.

The Cimbri.

But these victories had an effect which the victors did not anticipate. For a considerable period an "unsettled people" had been wandering along the northern verge of the country occupied by the Celts on both sides of the Danube. They called themselves the Cimbri, that is, the Chempho, the champions or, as their enemies translated it, the robbers; a designation, however, which to all appearance had become

* They are called in the Triumphal Fasti *Galli Karni*; and in Victor *Ligures Taurisci* (for such should be the reading instead of the received *Ligures et Caurisci*).

† As, according to Velleius and Eutropius, the tribe conquered by Minucius was the Scordisci, it can only be through an error on the part of Florus that he mentions the Hebrus (the Maritza) instead of the Margus (Morava).

the name of the people even before their migration. They came from the north, and the first Celtic people with whom they came in contact were, so far as is known, the Boii, probably in Bohemia. More exact details as to the cause and the direction of their migration have not been recorded by contemporaries,* and cannot be supplied by conjecture, since the state of things in those times to the north of Bohemia and the Main and to the east of the Lower Rhine lies wholly beyond our knowledge. But the hypothesis that the Cimbri as well as the similar horde of the Teutones which afterwards joined them belonged in the main not to the Celtic nation, to which the Romans at first assigned them, but to the Germanic, is supported by the most definite facts: viz., by the existence of two small tribes of the same name—remnants left behind to all appearance in their primitive seats—the Cimbri in the modern Denmark, the Teutones in the north-east of Germany in the neighbourhood of the Baltic, where Pytheas, a contemporary of Alexander the Great, makes mention of them thus early in connection with the amber trade; by the insertion of the Cimbri and Teutones in the list of the Germanic peoples among the Ingaevones alongside of the Chauci; by the judgment of Caesar, who first made the Romans acquainted with the distinction between the Germans and the Celts, and who includes the Cimbri, many of whom he must himself have seen, among the Germans; and lastly, by the very names of the peoples and the statements as to their physical appearance and habits in other respects, which, while applying to the men of the north generally, are especially applicable to the Germans. On the other hand it is conceivable enough that such a horde, after having wandered perhaps for many years and having doubtless welcomed every brother-in-arms who joined it in its movements near to or within the land of the Celts, would include a certain amount of Celtic elements; so that it is not surprising that men

* The account that large tracts on the coasts of the North Sea had been torn away by inundations, and that this had occasioned the migration of the Cimbri in a body (Strabo, vii. 293), does not indeed appear to us fabulous, as it seemed to the Greek inquirers; but whether it was based on tradition or on conjecture, cannot be decided.

of Celtic name should be at the head of the Cimbri, or that the Romans should employ spies speaking the Celtic tongue to gain information among them. It was a marvellous movement, the like of which the Romans had never seen; not a predatory expedition of mounted warriors, nor a "*ver sacrum*" of young men emigrating to a foreign land, but a migratory people that had set out with their women and children, with their goods and chattels, to seek a new home. The waggon, which had everywhere among the still not fully settled peoples of the north a different importance from what it had among the Hellenes and the Italians, and which universally accompanied the Celts also in their encampments, was among the Cimbrians as it were their house, where, beneath the leather covering stretched over it, a place was found for the wife and children and even for the house-dog as well as for the furniture. The men of the south beheld with astonishment those tall lank figures with the fair locks and bright-blue eyes, the hardy and stately women who were little inferior in size and strength to the men, and the children with old men's hair, as the amazed Italians called the flaxen-haired youths of the north. Their system of warfare was substantially that of the Celts of this period, who no longer fought, as the Italian Celts had formerly done, bareheaded and with merely sword and dagger, but with copper helmets often richly adorned and with a peculiar missile weapon, the *materis*; the large sword was retained and the long narrow shield, along with which they probably wore also a coat of mail. They were not destitute of cavalry; but the Romans were superior to them in that arm. Their order of battle was as formerly a crude phalanx professedly drawn up with just as many ranks in depth as in breadth, the first rank of which in dangerous combats not unfrequently tied together their metallic girdles with cords. Their manners were rude. Flesh was frequently devoured raw. The bravest and, if possible, the tallest man was king of the host. Not unfrequently, after the manner of the Celts and of barbarians generally, the time and place of the combat were previously arranged with the enemy, and sometimes also, before the battle began, an individual opponent was challenged to single combat. The conflict was ushered in

by their insulting the enemy with unseemly gestures, and by a horrible noise—the men raising their battle-shout, and the women and children increasing the din by drumming on the leathern covers of the waggons. The Cimbrian fought bravely—death on the bed of honour was deemed by him the only death worthy of a free man—but after the victory he indemnified himself by the most savage brutality, and sometimes promised beforehand to present to the gods of battle whatever victory should place in the power of the victor. The effects of the enemy were broken in pieces, the horses were killed, the prisoners were hanged or preserved only to be sacrificed to the gods. It was the priestesses—grey-haired women in white linen dresses and unshod—who, like Iphigenia in Scythia, offered these sacrifices, and prophesied the future from the streaming blood of the prisoner of war or the criminal who formed the victim. How much in these customs was the universal usage of the northern barbarians, how much was borrowed from the Celts, and how much was peculiar to the Germans, cannot be ascertained; but the practice of having the army accompanied and directed not by priests, but by priestesses, may be pronounced an undoubtedly Germanic custom. Thus marched the Cimbri into the unknown land—an immense multitude of various origin which had congregated round a nucleus of Germanic emigrants from the Baltic—not without resemblance to the great bodies of emigrants, that in our own times cross the ocean similarly burdened and similarly mingled, and with aims not much less vague; carrying their lumbering waggon-castle, with the dexterity which a long migratory life imparts, over streams and mountains; dangerous to more civilized nations like the wave and the hurricane, and like these capricious and unaccountable, now rapidly advancing, now suddenly pausing, turning aside, or receding. They came and struck like lightning; like lightning they vanished; and unhappily, in the dull age in which they appeared, there was no observer who deemed it worth while accurately to describe the marvellous meteor. When men afterwards began to trace the chain, of which this emigration, the first Germanic movement which touched the orbit of ancient civilization, was a link, the direct and living knowledge of it had long passed away.

Cimbrian movements and conflicts.

This homeless people of the Cimbri, which hitherto had been prevented from advancing to the south by the Celts on the Danube, more especially by the Boii, broke through that barrier in consequence of the attacks directed by the Romans against the Danubian Celts; either because the latter invoked the aid of their Cimbrian antagonists against the advancing legions, or because the Roman attack prevented them from protecting as hitherto their northern frontiers. Advancing through the territory of the Scordisci into the Tauriscan country, they approached in 641 the passes of the Carnian Alps, to protect which the consul Gnaeus Papirius Carbo took up a position on the heights not far from Aquileia. Here, seventy years before, Celtic tribes had attempted to settle on the south of the Alps, but at the bidding of the Romans had evacuated without resistance the ground which they had already occupied (ii. 207); even now the dread of the Transalpine peoples at the Roman name showed itself powerfully. The Cimbri did not attack; indeed, when Carbo ordered them to evacuate the territory of the Taurisci who were in relations of hospitality with Rome—an order which the treaty with the latter by no means bound him to make—they complied and followed the guides whom Carbo had assigned to them to escort them over the frontier. But these guides were in fact instructed to lure the Cimbri into an ambush, where the consul awaited them. Accordingly an engagement took place not far from Noreia in the modern Carinthia, in which the betrayed gained the victory over the betrayer and inflicted on him considerable loss; a storm, which separated the combatants, alone prevented the complete annihilation of the Roman army. The Cimbri might have immediately directed their attack towards Italy; they preferred to turn to the westward. By treaty with the Helvetii and the Sequani rather than by force of arms they made their way to the left bank of the Rhine and over the Jura, and there some years after the defeat of Carbo once more threatened the Roman territory by their immediate vicinity.

Defeat of Carbo. 113.

Defeat of Silanus. 109.

With a view to cover the frontier of the Rhine and the immediately threatened territory of the Allobroges, a Roman army under Marcus Junius Silanus appeared in 645 in

Southern Gaul. The Cimbri requested that land might be assigned to them where they might peacefully settle—a request which certainly could not be granted. The consul instead of replying attacked them; he was utterly defeated and the Roman camp was taken. The new levies which were occasioned by this misfortune were already attended with so much difficulty, that the senate procured the abolition of the laws—probably proceeding from Gaius Gracchus—which limited the obligation to military service in point of time (p. 117). But the Cimbri, instead of following up their victory over the Romans, sent to the senate at Rome to repeat their request for the assignment of land, and meanwhile employed themselves, apparently, in the subjugation of the surrounding Celtic cantons.

Inroad of the Helvetii into southern Gaul.

Thus the Roman province and the new Roman army were left for the moment undisturbed by the Germans; but a new enemy arose in Gaul itself. The Helvetii, who had suffered much in the constant conflicts with their north-eastern neighbours, felt themselves stimulated by the example of the Cimbri to seek in their turn for more quiet and fertile settlements in western Gaul, and had perhaps, even when the Cimbrian hosts marched through their land, formed an alliance with them for that purpose. Now under the leadership of Divico the forces of the Tougeni (position unknown) and of the Tigorini (on the lake of Murten) crossed the Jura,* and reached the territory of the Nitiobroges (about Agen on the Garonne). The Roman army under the consul Lucius Cassius Longinus, which they here encountered, allowed itself to be decoyed by the Helvetii into an ambush, in which the general himself and his legate, the consular Gaius Piso, along with the greater portion of the soldiers met their death; Gaius Popillius, the interim commander-in-chief of the force which had escaped to the camp, was allowed to withdraw under the yoke on condition of surrendering half the property which the troops carried with them and furnishing hostages (647). 107.

Defeat of Longinus.

* The usual hypothesis, that the Tougeni and Tigorini had advanced at the same time with the Cimbri into Gaul, cannot be supported by Strabo (vii. 293), and is little in harmony with the separate part acted by the Helvetii. Our traditional accounts of this war are, besides, so fragmentary that, just as in the case of the Samnite wars, a connected historical narration can only lay claim to approximate accuracy.

So perilous was the state of things for the Romans, that one of the most important towns in their own province, Tolosa, rose against them and placed the Roman garrison in chains.

But, as the Cimbrians continued to employ themselves elsewhere, and the Helvetii did not further molest for the moment the Roman province, the new Roman commander-in-chief, Quintus Servilius Caepio, had full time to recover possession of the town of Tolosa by treachery and to empty at leisure the immense treasures accumulated in the old and famous sanctuary of the Celtic Apollo. It was a desirable gain for the embarrassed exchequer, but unfortunately the gold and silver vessels on the way from Tolosa to Massilia were taken from the weak escort by a band of robbers, and totally disappeared: the consul himself and his staff were, it was alleged, the instigators of the onset (648). Meanwhile they confined themselves to the strictest defensive as regarded the chief enemy, and guarded the Roman province with three strong armies, till it should please the Cimbrians to repeat their attack.

106.

105. Defeat of Arausio.

They came in 649 under their king Boiorix, on this occasion seriously meditating an inroad into Italy. They were opposed on the right bank of the Rhone by the proconsul Caepio, on the left by the consul Gnaeus Mallius Maximus and by his legate, the consular Marcus Aurelius Scaurus, under him at the head of a detached corps. The first onset fell on the latter; he was totally defeated and brought in person as a prisoner to the enemy's head-quarters, where the Cimbrian king, indignant at the proud warning given to him by the captive Roman not to venture with his army into Italy, put him to death. Maximus thereupon ordered his colleague to bring his army over the Rhone: the latter complying with reluctance at length appeared at Arausio (Orange) on the left bank of the river, where the whole Roman force now stood confronting the Cimbrian army, and is alleged to have made such an impression by its considerable numbers that the Cimbrians began to negotiate. But the two leaders lived in the most vehement discord. Maximus, an obscure and incapable man, was as consul the legal superior of his prouder and better born, but not better quali-

fied, proconsular colleague Caepio; but the latter refused to occupy a common camp and to devise operations in concert with him, and still, as formerly, maintained his independent command. In vain deputies from the Roman senate endeavoured to effect a reconciliation; a personal conference between the generals, on which the officers insisted, only widened the breach. When Caepio saw Maximus negotiating with the envoys of the Cimbrians, he fancied that the latter wished to gain the sole credit of their subjugation, and threw himself with his portion of the army alone in all haste on the enemy. He was utterly annihilated, so that even his camp fell into the hands of the enemy (6 Oct. 649); and his 105.
destruction was followed by the no less complete defeat of the second Roman army. It is asserted that 80,000 Roman soldiers and half as many of the immense and helpless body of camp-followers perished, and that only ten men escaped: this much is certain, that only a few out of the two armies succeeded in escaping, for the Romans had fought with the river in their rear. It was a calamity which materially and morally far surpassed the day of Cannae. The defeats of Carbo, of Silanus, and of Longinus had passed without producing any permanent impression on the Italians. They were accustomed to open every war with disasters; the invincibleness of the Roman arms was so firmly established, that it seemed superfluous to attend to the pretty numerous exceptions. But the battle of Arausio, the alarming proximity of the victorious Cimbrian army to the undefended passes of the Alps, the insurrections breaking out afresh and with increased force both in the Roman territory beyond the Alps and among the Lusitanians, the defenceless condition of Italy, produced a sudden and fearful awakening from these dreams. Men recalled the never wholly forgotten Celtic inroads of the fourth century, the day on the Allia and the burning of Rome: with the double force at once of the oldest remembrance and of the freshest alarm the terror of the Gauls came upon Italy; through all the West people seemed to be aware that the Roman empire was beginning to totter. As after the battle of Cannae, the period of mourning was shortened by decree of the senate.* The new enlistments

* To this, beyond doubt, the fragment of Diodorus (*Vat.* p. 122) relates.

brought out the most painful scarcity of men. All Italians capable of bearing arms had to swear that they would not leave Italy; the captains of the vessels lying in the Italian ports were instructed not to take on board any man fit for service. It is impossible to tell what might have happened, had the Cimbrians immediately after their double victory advanced through the gates of the Alps into Italy. But they first overran the territory of the Arverni, who laboured to defend themselves in their fortresses against the enemy; and soon, weary of sieges, set out from thence, not to Italy, but westward to the Pyrenees.

The Roman opposition.

If the torpid organism of the Roman polity could still be brought to recover of itself its healthy action, that recovery could not but take place now, when, by one of the marvellous chances in which the history of Rome is so rich, the danger was sufficiently imminent to rouse all the energy and all the patriotism of the burgesses, and yet did not burst upon them so suddenly as to leave no space for the development of their resources. But the very same phenomena, which had occurred four years previously after the African defeats, presented themselves afresh. In fact the African and Gallic disasters were essentially of the same kind. It may be that primarily the blame of the former fell more on the oligarchy as a whole, that of the latter more on individual magistrates; but public opinion justly recognized in both, above all things, the bankruptcy of the government, which in its progressive development imperilled first the honour and now the very existence of the state. People just as little deceived themselves then as now regarding the true seat of the evil, but as little now as then did they make even an attempt to apply the remedy at the proper point.

War of prosecutions.

They saw well that the system was to blame; but on this occasion also they adhered to the method of calling individuals to account. Doubtless, however, this second storm discharged itself on the heads of the oligarchy so much the more heavily, as the calamity of 649 exceeded in extent and peril that of 645. The sure instinctive feeling of the public, that there was no resource against the oligarchy except the *tyrannis*, was once more apparent in their readily consenting to every attempt by officers of note to tie the hands of the

105.
109.

government and, under one form or another, to overturn the oligarchic rule by a dictatorship.

It was against Quintus Caepio that their attacks were first directed; and justly, in so far as he had primarily occasioned the defeat of Arausio by his insubordination, even apart from the probably well-founded but not proved charge of embezzling the Tolosan booty; but the fury which the opposition displayed against him was essentially augmented by the fact, that he had as consul ventured on an attempt to wrest the office of jurymen from the capitalists (p. 142). On his account the old venerable principle, that the sacredness of the magistracy should be respected even in the person of its worst occupant, was violated; and, while the censure due to the author of the calamitous day of Cannae had been silently repressed within the breast, the author of the defeat of Arausio was by decree of the people unconstitutionally deprived of his proconsulship, and—what had not occurred since the crisis in which the monarchy had perished—his property was confiscated by the state (649?). 105.
Not long afterwards he was by a second decree of the burgesses expelled from the senate (650). But this was not 104.
enough; more victims were desired, and above all Caepio's blood. A number of tribunes of the people favourable to the opposition, with Lucius Appuleius Saturninus and Gaius Norbanus at their head, proposed in 651 to appoint an ex- 103.
traordinary judicial commission in reference to the embezzlement and treason perpetrated in Gaul; in spite of the practical abolition of imprisonment previous to trial and of the punishment of death for political offences, Caepio was arrested and the intention of pronouncing and executing in his case sentence of death was openly expressed. The government party attempted to get rid of the proposal by tribunician intervention; but the interceding tribunes were violently driven from the assembly, and in the furious tumult the first men of the senate were assailed with stones. The investigation could not be prevented, and the war of prosecutions pursued its course in 651 as it had done 103.
six years before; Caepio himself, his colleague in the supreme command Gnaeus Mallius Maximus, and numerous other men of note were condemned: a tribune of the people,

who was a friend of Caepio, with difficulty succeeded by the sacrifice of his own civil existence in saving at least the life of the chief person accused.*

* The deposition from office of the proconsul Caepio, with which was combined the confiscation of his property (Liv. *Ep.* 67), was probably pronounced by the assembly of the people immediately after the battle of Arausio (6th
105. October, 649). That some time elapsed between that act and his proper downfall, is clearly shown by the proposal
104. made in 650, and aimed at Caepio, that deposition from office should involve the forfeiture of a seat in the senate (Asconius *in Cornel.* p. 78). The fragments of Licinianus (p. 10; *Cn. Manilius ob eandem causam quam et Cepio L. Saturnini rogatione e civitate est cito* [?] *iectus*; which throws light on the allusion in Cic. *de Or.* ii. 28, 125) now inform us that a law proposed by Lucius Appuleius Saturninus brought about this catastrophe. This is evidently no other than the Appuleian law as to the *minuta maiestas* of the Roman state (Cic. *de Or.* ii. 25, 107; 49, 201). *i. e.* the proposal of Saturninus for the appointment of an extraordinary commission to investigate the treasons that had taken place during the Cimbrian troubles. The commission of inquiry as to the gold of Tolosa (Cic. *de N. D.* iii. 30, 74) arose out of the Appuleian law, in the very same way as the special courts of inquiry—further mentioned in that passage—as to a scandalous bribery of judges out of the Mu-
141. cian law of 613, as to the occurrences with the Vestals out of the Peducaean
113. law of 641, and as to the Jugurthine
110. war out of the Mamilian law of 644. A comparison of these cases also shows that in such special commissions—different in this respect from the ordinary ones—even punishments affecting life and limb might be and were inflicted. The fact that elsewhere the tribune of the people, Gaius Norbanus, is named as the person who set agoing the proceedings against Caepio and was afterwards brought to trial for doing so (Cic. *de Or.* ii. 40, 167; 48, 199; 49, 200; *Or. Part.* 30, 106, *et al.*) is not inconsistent with the view given above; for the proposal proceeded as usual from several tribunes of the people (*ad Herenn.* i. 14, 24; Cic. *de Or.* ii. 47, 197), and, as Saturninus was already dead when the aristocratic party was in a position to think of retaliation, they fastened on his colleague. As to the period of this second and final condemnation of Caepio, the usual very inconsiderate hypothesis, which places it in 659, ten years after the battle of Arausio, has been already rejected. It rests simply on the fact that Crassus when consul, consequently in 659, spoke in favour of Caepio (Cic. *Brut.* 44, 162); which, however, he manifestly did not as his advocate, but on the occasion when Norbanus was brought to account by Publius Sulpicius Rufus for his conduct toward Caepio in 659. Formerly we placed this second accusation in 650; now that we know that it originated from a proposal of Saturninus, we can only hesitate between 651, when he was tribune of the people for the first time (Plutarch, *Mar.* 14; Oros. v. 17; App. i. 28; Diodor. p. 608, 631), and 654, when he held that office a second time. There are not materials for deciding the point with entire certainty, but the great preponderance of probability is in favour of the former year; partly because it was nearer to the disastrous events in Gaul, partly because in the tolerably full accounts of the second tribunate of Saturninus there is no mention of Quintus Caepio the father and the acts of violence directed against him. The circumstance, that the sums paid back to the treasury in consequence of the decisions as to the embezzlement of the Tolosan booty were claimed by Saturninus in his second tribunate for his schemes of colonization (*De Viris Ill.* 73, 5, and thereon Orelli, *Ind. Legg.* p. 137), is not in itself decisive, and may, moreover, have been easily transferred by mistake from the first African to the second general agrarian law of Saturninus.

The fact that afterwards, when Norbanus was impeached, his impeachment proceeded on the very ground of the law which he had taken part in suggesting, was an ironical incident common in the Roman political procedure of this period (Cic. *Brut.* 89, 305) and should not mislead us into the belief that the Appuleian law was, like the later Cornelian, a general law of high treason.

Of more importance than this measure of revenge was the question how the dangerous war beyond the Alps was to be further carried on, and first of all to whom the supreme command in it was to be committed. With an unprejudiced treatment of the matter it was not difficult to make a fitting choice. Rome was no doubt, in comparison with earlier times, not rich in military notabilities; yet Quintus Maximus had commanded with distinction in Gaul, Marcus Aemilius Scaurus and Marcus Minucius in the regions of the Danube, Quintus Metellus, Publius Rutilius Rufus, Gaius Marius in Africa; and the object proposed was not to defeat a Pyrrhus or a Hannibal, but again to make good the often tried superiority of Roman arms and Roman tactics in opposition to the barbarians of the north—an object which required no hero, but merely a stern and able soldier. But it was precisely a time when nothing was so difficult as the unprejudiced settlement of a question of administration. The government was, as it could not but be and as the Jugurthine war had already shown, so utterly bankrupt in public opinion, that its ablest generals had to retire in the full career of victory, whenever it occurred to an officer of mark to vilify them before the people and to get himself as the candidate of the opposition appointed to the head of affairs. It was no wonder that what took place after the victories of Metellus was repeated on a greater scale after the defeats of Gnaeus Mallius and Quintus Caepio. Once more Gaius Marius came forward, in spite of the law which prohibited the holding of the consulship more than once, as a candidate for the supreme magistracy; and not only was he nominated as consul and charged with the chief command in the Gallic war, while he was still in Africa at the head of the army there, but he was re-invested with the consulship for five years in succession (650-654). This proceeding, which looked like an intentional mockery of the exclusive spirit that the nobility had exhibited in reference to this very man in all its folly and shortsightedness, was unparalleled in the annals of the republic, and in fact absolutely incompatible with the spirit of the free constitution of Rome. In the Roman military system in particular—the transformation of which from a burgess-militia into a body of mer-

Marius commander-in-chief.

104-100.

cenaries, begun in the African war, was continued and completed by Marius during his five years of a supreme command unlimited through the exigencies of the times still more than through the terms of his appointment—the profound traces of this unconstitutional commandership-in-chief of the first democratic general remained visible for all times.

Roman defensive. 104.

The new commander-in-chief, Gaius Marius, appeared in 650 beyond the Alps, followed by a number of experienced officers—among whom the bold captor of Jugurtha, Lucius Sulla, soon acquired fresh distinction—and by a numerous host of Italian and allied soldiers. At first he did not find the enemy against whom he had been sent. The singular people, who had conquered at Arausio, had in the mean time (as we have already mentioned), after plundering the country to the west of the Rhone, crossed the Pyrenees and were carrying on a desultory warfare in Spain with the brave inhabitants of the northern coast and of the interior; it seemed as if the Germans wished at their very first appearance on the historic stage to display their want of persevering grasp. So Marius found ample time on the one hand to reduce the revolted Tectosages to obedience, to confirm afresh the wavering fidelity of the subject Gallic and Ligurian cantons, and to obtain support and contingents within and without the Roman province from the allies who were equally with the Romans placed in peril by the Cimbri, such as the Massiliots, the Allobroges, and the Sequani; and on the other hand, to discipline the army entrusted to him by strict superintendence and impartial justice towards all whether high or humble, and to prepare the soldiers for the more serious labours of war by marches and extensive works of entrenching —particularly the construction of a canal of the Rhone, afterwards handed over to the Massiliots, for facilitating the transit of the supplies sent from Italy to the army. He maintained a strictly defensive attitude, and did not cross the bounds of the Roman province.

103. The Cimbri, Teutones, and Helvetii unite.

At length, apparently in the course of 651, the wave of the Cimbri, after having broken itself in Spain on the brave resistance of the native tribes and especially of the Celtiberians, flowed back again over the Pyrenees and thence, as it appears, passed along the shore of the Atlantic Ocean, where

everything from the Pyrenees to the Seine submitted to the terrible invaders. There, on the confines of the brave confederacy of the Belgae, they first encountered serious resistance; but there also, while they were in the territory of the Vellocassi (near Rouen), considerable reinforcements reached them. Not only three cantons of the Helvetii, including the Tigorini and Tougeni who had formerly fought against the Romans at the Garonne, associated themselves, apparently about this period, with the Cimbri, but these were also joined by the kindred Teutones under their king Teutobod, who had been driven by events which tradition has not recorded from their home on the Baltic sea to appear now on the Seine.* But even the united hordes were unable to overcome the brave resistance of the Belgae. The leaders accordingly resolved, now that their numbers were thus swelled, to enter in all earnest on the expedition to Italy which they had several times contemplated. In order not to encumber themselves with the spoil which they had heretofore collected, they left it behind under the protection of a division of 6000 men, which after many wanderings subsequently gave rise to the tribe of the Aduatuci on the Sambre. But, whether from the difficulty of finding supplies on the Alpine routes or from other reasons, the mass again broke up into two hosts, one of which, composed of the Cimbri and Tigorini, was to recross the Rhine and to invade Italy through the passes of the eastern Alps already reconnoitred in 641, and the other, composed of the newly arrived Teutones, the Tougeni, and the Ambrones—the flower of the Cimbrian host already tried in the battle of Arausio—was to invade Italy through Roman Gaul and the western passes. It was this second division, which in the summer of 652 once more crossed the Rhone without hindrance, and on its left bank resumed, after a pause of nearly three years, the struggle with the Romans. Marius awaited them in a well chosen and well provisioned

Expedition to Italy resolved on.

113.

Teutones in [102. the province of Gaul.

* The view here presented rests in the main on the comparatively trustworthy account in the Epitome of Livy (where we should read *reversi in Galliam in Vellocassis se Teutonis coniunxerunt*) and in Obsequens; to the disregard of authorities of lesser weight, which make the Teutones appear by the side of the Cimbri at an earlier date, some of them, such as Appian, *Celt.* 13, even as early as the battle of Noreia. Therewith we connect the notices in Caesar (*B. G.* i. 33; ii. 4, 29); as the invasion of the Roman province and of Italy by the Cimbri can only mean the expedition of 652. 102.

camp at the confluence of the Isère with the Rhone, in which position he intercepted the passage of the barbarians by either of the only two military routes to Italy then practicable, that over the Little St. Bernard, and that along the coast. The Teutones attacked the camp which obstructed their passage; for three consecutive days the barbarians assailed the Roman entrenchments, but their wild courage was thwarted by the superiority of the Romans in fortress-warfare and by the prudence of the general. After severe loss the bold associates resolved to give up the assault, and to march onward to Italy past the camp. For six successive days they continued to defile—a proof of the cumbrousness of their baggage still more than of the immensity of their numbers. The general permitted the march to proceed without attacking them. We can easily understand why he did not allow himself to be led astray by the insulting inquiries of the enemy whether the Romans had no commissions for their wives at home; but the fact, that he did not take advantage of this rash defiling of the barbarian columns in front of the concentrated Roman troops for the purpose of attack, shows how little he trusted his unpractised soldiers.

Battle of Aquae Sextiae.

When the march was over, he broke up his encampment and followed in the steps of the enemy, preserving rigorous order and carefully entrenching himself night after night. The Teutones, who were striving to gain the coast road, marching down the banks of the Rhone reached the district of Aquae Sextiae, followed by the Romans. The light Ligurian troops of the Romans, as they were drawing water, here came into collision with the Celtic rear-guard, the Ambrones; the conflict soon became general; after a hot struggle the Romans conquered and pursued the retreating enemy up to their waggon-stronghold. This first successful collision elevated the spirits of the general as well as of the soldiers; on the third day after it Marius drew up his array for a decisive battle on the hill, the summit of which bore the Roman camp. The Teutones, long impatient to measure themselves against their antagonists, immediately rushed up the hill and began the conflict. It was severe and protracted: up to midday the Germans stood like a wall; but the unwonted

heat of the Provençal sun relaxed their energies, and a false alarm in their rear, where a band of Roman camp-boys ran forth from a wooded ambuscade with loud shouts, fully decided the breaking up of the wavering ranks. The whole horde was scattered, and, as was to be expected in a foreign land, either put to death or taken prisoners. Among the captives was king Teutobod; among the killed a multitude of women, who, not unacquainted with the treatment which awaited them as slaves, had caused themselves to be slain in desperate resistance at their waggons, or had put themselves to death in captivity, after having vainly requested to be dedicated to the service of the gods and of the sacred virgins of Vesta (summer of 652). 102.

Cimbrians in Italy.

Thus Gaul was delivered from the Germans; and it was time, for their brothers-in-arms were already on the south side of the Alps. In alliance with the Helvetii, the Cimbri had without difficulty passed from the Seine to the region of the sources of the Rhine, had crossed the chain of the Alps by the Brenner pass, and had descended thence through the valleys of the Eisach and Adige into the Italian plain. Here the consul Quintus Lutatius Catulus was to guard the passes; but not fully acquainted with the country and afraid of having his flank turned, he had not ventured to advance into the Alps, but had posted himself below Trent on the left bank of the Adige, and had secured in any event his retreat to the right bank by the construction of a bridge. When the Cimbrians, however, pushed forward in dense masses from the mountains, a panic seized the Roman army, and legionaries and horsemen ran off, the latter straight for the capital, the former to the nearest height which seemed to afford security. With great difficulty Catulus brought at least the greater portion of his army by a stratagem back to the river and over the bridge, before the enemy, who commanded the upper course of the Adige and were already floating down trees and beams against the bridge, succeeded in destroying it and thereby cutting off the retreat of the army. But the general had to leave behind a legion on the other bank, and the cowardly tribune who led it was already disposed to capitulate, when the centurion Gnaeus Petreius of Atina struck him down and cut his way through the

midst of the enemy to the main army on the right bank of the Adige. Thus the army, and in some degree even the honour of their arms, was saved; but the consequences of the neglect to occupy the passes and of the too hasty retreat were yet very seriously felt. Catulus was obliged to withdraw to the right bank of the Po and to leave the whole plain between the Po and the Alps in the power of the Cimbri, so that communication was maintained with Aquileia
102. only by sea. This took place in the summer of 652, about the same time when the decisive battle between the Teutones and the Romans occurred at Aquae Sextiae. Had the Cimbri continued their attack without interruption, Rome might have been greatly embarrassed; but on this occasion also they remained faithful to their custom of resting in winter, and all the more, because the rich country, the unwonted quarters under the shelter of a roof, the warm baths, and the new and abundant supplies for eating and drinking invited them to make themselves comfortable for the moment. Thereby the Romans gained time to encounter them with united forces in Italy. It was no season to resume—as the democratic general would perhaps otherwise have done—the interrupted scheme of conquest in Gaul, which Gaius Gracchus had probably projected. From the battle-field of Aix the victorious army was conducted to the Po; and after a brief stay in the capital, where Marius refused the triumph offered to him until he had utterly subdued the barbarians, he arrived in person at the united armies. In the spring
101. of 653 they again crossed the Po, 50,000 strong, under the consul Marius and the proconsul Catulus, and marched against the Cimbri, who on their part seem to have marched up the river with a view to cross the mighty stream at its source.

Battle on the Raudine plain.

The two armies met below Vercellae not far from the confluence of the Sesia with the Po,* just at the spot where

* It is injudicious to deviate from the traditional account and to transfer the field of battle to Verona: in so doing the fact is overlooked that a whole winter and various movements of troops intervened between the conflicts on the Adige and the decisive engagement, and that Catulus, according to express statement (Plut. *Mar.* 24), had retreated to the right bank of the Po. The statements that the Cimbri were defeated on the Po (Hier. *Chron.*), and that they were defeated where Stilicho afterwards defeated the Getae, *i.e.* at Cherasco on the Tanaro, although both inaccurate, point at least to Vercellae much rather than to Verona.

Hannibal had fought his first battle on Italian soil. The Cimbri desired battle, and according to their custom sent to the Romans to settle the time and place for it; Marius gratified them and named the next day—it was the 30th July, 653—and the Raudine plain, a wide level space, which the superior Roman cavalry found advantageous for their movements. Here they fell upon the enemy expecting them and yet taken by surprise; for in the dense morning mist the Celtic cavalry found itself in hand-to-hand conflict with the stronger cavalry of the Romans before it anticipated attack, and was thereby thrown back upon the infantry which was just making its dispositions for battle. A complete victory was gained with slight loss, and the Cimbri were annihilated. Those might be deemed fortunate who met death in the battle, as most did, including the brave king Boiorix; more fortunate at least than those who afterwards in despair laid hands on themselves, or were obliged to seek in the slave market of Rome the master who might retaliate on the individual Northman for the audacity of having coveted the beauteous south before it was time. The Tigorini, who had remained behind in the passes of the Alps with the view of subsequently following the Cimbri, ran off on the news of the defeat to their native land. The human avalanche, which for thirteen years had alarmed the nations from the Danube to the Ebro, from the Seine to the Po, rested beneath the sod or toiled under the yoke of slavery; the forlorn hope of the German migrations had performed its duty; the homeless people of the Cimbri and their comrades were no more. 101.

The political parties of Rome continued their pitiful quarrels over the carcase, without troubling themselves about the great chapter in the world's history the first page of which was thus opened, without even giving way to the pure feeling that on this day Rome's aristocrats as well as Rome's democrats had done their duty. The rivalry of the two generals—who were not only political antagonists, but were also set at variance in a military point of view by the so different results of the two campaigns of the previous year—broke out immediately after the battle in the most offensive form. Catulus might with justice assert that the centre division The victory and the parties.

which he commanded had decided the victory, and that his troops had captured thirty-one standards, while those of Marius had brought in only two; his soldiers led even the deputies of the town of Parma through the heaps of the dead to show to them that Marius had slain his thousand, but Catulus his ten thousand. Nevertheless Marius was regarded as the real conqueror of the Cimbri, and justly; not merely because by virtue of his higher rank he had held the chief command on the decisive day, and was in military gifts and experience beyond doubt far superior to his colleague, but especially because the second victory at Vercellae was in fact rendered possible only by the first victory at Aquae Sextiae. But at that period it was considerations of political partisanship rather than of military merit which attached the glory of having saved Rome from the Cimbri and Teutones entirely to the name of Marius. Catulus was a polished and clever man, so graceful a speaker that his euphonious language sounded almost like eloquence, a tolerable writer of memoirs and occasional poems, and an excellent connoisseur and critic of art; but he was anything but a man of the people, and his victory was a victory of the aristocracy. The battles of the rough farmer on the other hand, who had been raised to honour by the common people and had led the common people to victory, were not merely defeats of the Cimbri and Teutones, but also defeats of the government: there were associated with them hopes far different from that of being able once more to carry on mercantile transactions on the one side of the Alps or to cultivate the fields without molestation on the other. Twenty years had elapsed since the bloody corpse of Gaius Gracchus had been flung into the Tiber; for twenty years the government of the restored oligarchy had been endured and cursed; still there had risen no avenger for Gracchus, no second master to prosecute the building which he had begun. There were many who hated and hoped, many of the worst and many of the best citizens of the state: was the man, who knew how to accomplish this vengeance and these wishes, found at last in the son of the day-labourer of Arpinum? Were they really on the threshold of the so-much dreaded and so-much desired second revolution?

CHAPTER VI.

THE ATTEMPT OF MARIUS AT REVOLUTION AND THE ATTEMPT OF DRUSUS AT REFORM.

GAIUS MARIUS, the son of a poor day-labourer, was born in 599 at the village of Cereatae then belonging to Arpinum, which afterwards obtained municipal rights as Cereatae Marianae and still at the present day bears the name of "Marius' home" (Casamare). He was reared at the plough, in circumstances so humble that they seemed to preclude him from access even to the magistracies of Arpinum: he learned early—what he practised afterwards even when a general—to bear hunger and thirst, the heat of summer and the cold of winter, and to sleep on the hard ground. As soon as his age allowed him, he had entered the army and in the severe school of the Spanish wars had rapidly raised himself to the position of an officer. In Scipio's Numantine war he, at that time twenty-three years of age, attracted the notice of the stern general by the neatness with which he kept his horse and his accoutrements, as well as by his bravery in combat and his propriety of demeanour in camp. He had returned home with honourable scars and warlike distinctions, and with the ardent wish to make himself a name in the career on which he had gloriously entered; but, as matters then stood, a man of even the highest merit could not attain those political offices, which alone led to the higher military posts, without wealth and without connections. The young officer acquired both by fortunate commercial speculations and by his union with a maiden of the ancient patrician gens of the Julii. So by dint of great efforts and after various rejections he succeeded, in 639, in attaining the praetorship, in which he found opportunity of displaying afresh his military ability as governor of Further Spain. How he thereafter in spite of the aristocracy re-

Marius. 155. 115.

107. 106. 105. ceived the consulship in 647 and, as proconsul (648, 649), terminated the African war; and how, called after the calamitous day of Arausio to the superintendence of the war against the Germans, he had his consulship renewed for
104–101. four successive years from 650 to 653 (a thing unexampled in the annals of the republic) and vanquished and annihilated the Cimbrians in Cisalpine, and the Teutones in Transalpine, Gaul—has been already related. In his military position he had shown himself a brave and upright man, who administered justice impartially, disposed of the spoil with rare honesty and disinterestedness, and was thoroughly incorruptible; a skilful organizer, who had brought the somewhat rusty machinery of the Roman military system once more into a state of efficiency; an able general, who kept the soldier under discipline and withal in good humour and at the same time won his affections in comrade-like intercourse, but looked the enemy boldly in the face and joined issue with him at the proper time. He was not, as far as we can judge, a man of eminent military capacity; but the very respectable qualities which he possessed were quite sufficient under the existing circumstances to procure for him such a reputation, and by virtue of it he had taken his place in a fashion of unparalleled honour among the consulars and the triumphators. But he was none the better fitted on that account for the brilliant circle. His voice remained harsh and loud, and his look wild, as if he still saw before him Libyans or Cimbrians, and not well-bred and refined colleagues. That he was superstitious like a genuine soldier of fortune; that he was induced to become a candidate for his first consulship, not by the impulse of his talents, but primarily by the utterances of an Etruscan *haruspex*; and that in the campaign with the Teutones a Syrian prophetess Martha lent the aid of her oracles to the council of war,—these things were not, in the strict sense, unaristocratic: in such matters, then as at all times, the highest and lowest strata of society met. But the want of political culture was unpardonable; it was creditable, no doubt, that he had the skill to defeat the barbarians, but what was to be thought of a consul who was so ignorant of the rules of etiquette as to appear in triumphal costume in the senate! In other re-

spects too the plebeian character clung to him. He was not merely—according to aristocratic phraseology—a poor man, but, what was worse, frugal and a declared enemy of all bribery and corruption. After the manner of soldiers he was not nice, but was fond of his cups, especially in his later years; he knew not the art of giving feasts, and kept a bad cook. It was likewise awkward that the consular understood nothing but Latin and had to decline conversing in Greek; that he felt the Greek plays wearisome might pass—he was probably not the only one who did so—but to confess his feeling of weariness was naïve. Thus he remained throughout life a countryman cast adrift among aristocrats, and annoyed by the keenly felt sarcasms and still more keenly felt sympathy of his colleagues, which he had not the self-command to despise as he despised themselves.

Political position of Marius.

Marius stood aloof from parties not much less than from society. The measures which he carried in his tribunate of the people (635)—a better control over the delivery of the voting-tablets with a view to do away with the scandalous frauds that were therein practised, and the prevention of extravagant proposals for largesses to the people (p. 140)—do not bear the stamp of a party, least of all that of the democratic, but merely show that he hated what was unjust and irrational; and how could a man like this, a farmer by birth and a soldier by inclination, have been from the first a revolutionist? The hostile attacks of the aristocracy had no doubt driven him subsequently into the camp of the opponents of the government; and there he speedily found himself elevated in the first instance to be general of the opposition and destined perhaps for still higher things hereafter. But this was far more the effect of the stringent force of circumstances and of the general need which the opposition had for a chief, than his own work; he had at any rate since his departure for Africa in 647–8 hardly tarried, in passing, for a brief period in the capital. It was not till the latter half of 653 that he returned to Rome, victor alike over the Teutones and over the Cimbri, to celebrate his postponed triumph now with double honours—decidedly the first man in Rome, and yet at the same time a novice in politics. It was certain beyond dispute, not only that Marius had saved

119.

107–6.

101.

Rome, but that he was the only man who could have saved it; his name was on every one's lips; the nobles acknowledged his services; with the people he was more popular than any one before or after him, popular alike by his virtues and by his faults, by his unaristocratic disinterestedness no less than by his boorish uncouthness; he was called by the multitude a third Romulus and a second Camillus; libations were poured forth to him like the gods. It was no wonder that the head of the peasant's son grew giddy at times with all this glory; that he compared his march from Africa to Gaul to the victorious processions of Dionysus from continent to continent, and had a cup—none of the smallest—manufactured for his use after the model of that of Bacchus. There was just as much of hope as of gratitude in this delirious enthusiasm of the people, which might have led astray a man of colder blood and more mature political experience. The work of Marius seemed to his admirers by no means finished. The wretched government oppressed the land more heavily than did the barbarians: on him, the first man of Rome, the favourite of the people, the head of the opposition, devolved the task of once more delivering Rome. It is true that to one who was a rustic and a soldier the political proceedings of the capital were strange and incongruous: he spoke as ill as he commanded well, and displayed a far firmer bearing in presence of the lances and swords of the enemy than in presence of the applause or hisses of the multitude; but his inclinations were of little moment. The hopes of which he was the object constrained him. His military and political position was such that, if he would not break with his glorious past, if he would not deceive the expectations of his party and in fact of the nation, if he would not be unfaithful to his own sense of duty, he must check the maladministration of public affairs and put an end to the government of the restoration; and if he only possessed the internal qualities of a head of the people, he might certainly dispense with those which he wanted as a popular leader.

The new military organization.

He held in his hand a formidable weapon in the newly organized army. Previously to his time the fundamental principle of the Servian constitution—by which the levy was

limited entirely to the burgesses possessed of property, and the distinctions in equipment were regulated solely by the property qualification (i. 101, 339)—had necessarily been in various respects relaxed. The minimum census of 11,000 *asses* (£43), which bound its possessor to enter the burgess-army, had been lowered to 4000 (£17; ii. 373). The earlier six property-classes, distinguished by their respective armaments, had been restricted to three; for, while in accordance with the Servian organization they selected the cavalry from the wealthiest, and the light-armed from the poorest, of those liable to serve, they arranged the middle class, the proper infantry of the line, no longer according to property but according to duration of service, in the three divisions of *hastati*, *principes*, and *triarii*. They had, moreover, long ago brought the Italian allies to take part to a very great extent in war-service; but in their case too, just as among the Roman burgesses, military duty was chiefly imposed on the propertied classes. Nevertheless the Roman military system down to the time of Marius rested in the main on that primitive organization of the civic militia. But it was no longer suited for the altered circumstances of the state. The better classes of society kept aloof more and more from service in the army, and the Roman and Italic middle class in general was disappearing; while on the other hand the considerable military resources of the extra-Italian allies and subjects had become available, and the Italian proletariate also, properly applied, afforded at least a very useful material for military objects. The burgess-cavalry (ii. 340), which was meant to be formed from the class of the wealthy, had practically given up service in the field even before the time of Marius. It is last mentioned as an actual *corps d'armée* in the Spanish campaign of 614, when it drove the general to despair 140.
by its insolent arrogance and its insubordination, and a war broke out between the troopers and the general waged on both sides with equal want of principle. In the Jugurthine war it continues to appear merely as a sort of guard of honour for the general and foreign princes; thenceforth it wholly disappears. In like manner the filling up of the complement of the legions with properly qualified persons bound to serve proved in the ordinary course of things difficult; so that ex-

ertions, such as were necessary after the battle of Arausio, would have been in all probability really impracticable with the retention of the existing rules as to the obligation of service. On the other hand even before the time of Marius, especially in the cavalry and the light infantry, extra-Italian subjects—the heavy mounted troopers of Thrace, the light African cavalry, the excellent light infantry of the nimble Ligurians, the slingers from the Balcares—were employed in daily increasing numbers even beyond their own provinces for the Roman armies; and at the same time, while there was a want of qualified burgess-recruits, the non-qualified poorer burgesses pressed forward unbidden to enter the army; in fact, from the mass of the civic rabble without work or averse to it, and from the considerable advantages which the Roman war-service yielded, the enlistment of volunteers could not be difficult. It was therefore simply a necessary consequence of the political and social changes in the state, that its military arrangements should exhibit a transition from the system of the burgess-levy to the system of contingents and enlisting; that the cavalry and light troops should be mainly formed out of the contingents of the subjects—in the Cimbrian campaign, for instance, contingents were summoned from as far as Bithynia; and that in the case of the infantry of the line, while the former arrangement of obligation to service was not abolished, every free-born burgess should at the same time be permitted voluntarily
107. to enter the army, as was first done by Marius in 647.

To this was added the reducing the infantry of the line to a level, which is likewise referable to Marius. The Roman method of aristocratic classification had hitherto prevailed also within the legion. Each of the four divisions of the *velites*, the *hastati*, the *principes*, and the *triarii*—or, as we may say, the advanced guard, the first, second, and third line—had hitherto possessed its special qualification as respected property or age for service and in great part also its own style of equipment; each had its definite place once for all assigned in the order of battle; each had its definite military rank and its own standard. All these distinctions were now superseded. Any one admitted as a legionary at all needed no further qualification in order to serve in any division; the discretion of the officers alone decided as to his place.

All distinctions of armour were set aside, and consequently all recruits were uniformly trained. Connected, doubtless, with this change were the various improvements which Marius introduced in the armament, the carrying of the baggage, and similar matters, and which furnish an honourable evidence of his insight into the practical details of the business of war and of his care for his soldiers; and more especially the new method of drill devised by Publius Rutilius Rufus (consul 649) the comrade of Marius in the 105.
African war. It is a significant fact, that this method considerably increased the military culture of the individual soldier and was essentially based upon the training of the future gladiators which was usual in the fighting-schools of the time. The arrangement of the legion became totally different. The thirty companies (*manipuli*) of heavy infantry, which—each in two sections (*centuriae*) composed respectively of sixty men in the two first, and of thirty men in the third, division—had hitherto formed the tactical unit, were replaced by ten cohorts (*cohortes*) each with its own standard and each of six, or often only of five, sections of one hundred men apiece; so that, although at the same time 1200 men were saved by the suppression of the light infantry of the legion, yet the total numbers of the legion were raised from 4200 to 6000 men. The custom of fighting in three divisions was retained, but, while previously each division had formed a distinct *corps*, it was in future left to the general to distribute the cohorts of which he had the disposal in the three lines as he thought best. Military rank was determined solely by the numerical order of the soldiers and of the divisions. The four standards of the several parts of the legion—the wolf, the ox with a man's head, the horse, the boar—which had hitherto probably been carried before the cavalry and the three divisions of heavy infantry, disappeared; there remained only the ensigns of the new cohorts, and the new standard which Marius gave to the legion as a whole—the silver eagle. Within the legion every trace of the previous civic and aristocratic classification thus disappeared, and the only distinctions henceforth occurring among the legionaries were purely military; but accidental circumstances had some thirty years before this given rise to

a privileged division of the army alongside of the legions—the body guard of the general. It is traceable to the Numantine war, in which Scipio Aemilianus, not furnished by the government with new troops as he desired, and compelled in presence of an utterly unruly soldiery to have a care of his personal safety, had formed out of volunteers a band of 500 men, and had afterwards received into it by way of reward his ablest soldiers (p. 17). This cohort, called that of the friends or more usually that of the head-quarters (*praetoriani*), had the duty of serving at head-quarters (*praetorium*); in consideration of which it was exempt from encamping and entrenching service, and enjoyed higher pay and greater repute.

Political significance of the Marian military reform.

This complete revolution in the constitution of the Roman army seems certainly in substance to have originated not in political, but in military, motives; and to have been not so much the work of an individual, least of all of a man of calculating ambition, as the remodelling which the force of circumstances enjoined in institutions which had become untenable. It is probable that the introduction of the system of inland enlistment by Marius saved the state in a military point of view from destruction, just as several centuries afterwards Arbogast and Stilicho prolonged its existence for a time by the introduction of foreign enlistment. Nevertheless, it involved a complete—although not yet developed—political revolution. The republican constitution was essentially based on the view that the citizen was also a soldier, and that the soldier was above all a citizen; it was at an end, so soon as a soldier-class was formed. To this issue the new system of drill, with its routine borrowed from the professional gladiator, necessarily led; the military service became gradually a profession. Far more rapid was the effect of the admission—though but limited—of the proletariate to participate in military service; especially in connection with the primitive maxims, which conceded to the general an arbitrary right of rewarding his soldiers compatible only with very solid republican institutions, and gave to the able and successful soldier a sort of title to demand from the general a share of the moveable spoil and from the state a portion of the soil that had been won. While the burgess or farmer called out under the levy saw in military service

nothing but a burden to be undertaken for the public good, and in the gains of war nothing but a slight compensation for the far more considerable loss brought upon him by serving, it was otherwise with the enlisted proletarian. Not only was he for the moment solely dependent upon his pay, but, as there was no Hôtel des Invalides nor even a poorhouse to receive him after his discharge, he necessarily desired for the future also to abide by his standard, and not to leave it otherwise than with the establishment of his civic status. His only home was the camp, his only science war, his only hope the general—what this implied, is clear. When Marius after the engagement on the Raudine plain unconstitutionally gave Roman citizenship on the very field of battle to two cohorts of Italian allies in a body for their brave conduct, he justified himself afterwards by saying that amidst the noise of battle he had not been able to distinguish the voice of the laws. If once in more important questions the interest of the army and that of the general should concur to produce unconstitutional demands, who could be security that then other laws also would not cease to be heard amid the clashing of swords? They had now the standing army, the soldier-class, the body-guard; as in the civil constitution, so also in the military, all the pillars of the future monarchy were already in existence: the monarch alone was wanting. When the twelve eagles circled round the Palatine hill, they ushered in the Kings; the new eagle which Gaius Marius bestowed on the legions proclaimed the advent of the Emperors.

Political projects of Marius.

There is hardly any doubt that Marius entered into the brilliant prospects which his military and political position opened up to him. It was a sad and troubled time. Men had peace, but they did not profit by peace; the state of things was not now such as it had formerly been after the first mighty onset of the northern peoples on Rome, when, so soon as the crisis was over, all energies were roused anew in the fresh consciousness of recovered health and had by their vigorous development rapidly and amply made up for what was lost. Every one felt that, though able generals might still once and again avert immediate destruction, the commonwealth was only the more surely on the way to ruin under the government of the re-

stored oligarchy; but every one felt also that the time was past when in such cases the burgess-body provided its own redress, and that there was no amendment so long as the place of Gaius Gracchus remained empty. How deeply the multitude felt the blank that was left after the disappearance of those two illustrious youths who had opened the gates to revolution, and how childishly in fact it grasped at any shadow of a substitute, was shown by the case of the pretended son of Tiberius Gracchus, who, although the very sister of the two Gracchi charged him with fraud in the open Forum,
99. was yet chosen by the people in 655 as tribune solely on account of his usurped name. In the same spirit the multitude exulted in the presence of Gaius Marius; how should it not? He, if any one, seemed the proper man—he was at any rate the first general and the most popular name of his time, confessedly brave and upright, and recommended as regenerator of the state by his very position aloof from the struggles of party—how should not the people, how should not he himself, have deemed that he was so! Public opinion as decidedly as possible favoured the opposition. It was a significant indication of this, that the proposal to have the vacant stalls in the chief priestly colleges filled up by the burgesses instead of the colleges themselves—which the government
145. had frustrated in the comitia in 609 by the suggestion of re-
104. ligious scruples—was carried in 650 by Gnaeus Domitius without the senate having been able even to venture a serious resistance. On the whole it seemed as if nothing was wanted but a chief, who should give to the opposition a firm rallying point and a practical aim; and this was now found in Marius.

For the execution of his task two methods of operation were open; Marius might attempt to overthrow the oligarchy either as *imperator* at the head of the army, or in the mode prescribed by the constitution for constitutional changes: his own past career pointed to the former course, the precedent of Gracchus to the latter. It is easy to understand why he did not adopt the former plan, perhaps did not even think of the possibility of adopting it. The senate was or seemed so powerless and helpless, so hated and despised, that Marius conceived himself scarcely to need

any other support in opposing it than his immense popularity, but hoped in case of necessity to find such a support, notwithstanding the dissolution of the army, in the soldiers discharged and waiting for their rewards. It is probable that Marius, looking to Gracchus' easy and apparently almost complete victory and to his own resources far surpassing those of Gracchus, deemed the overthrow of a constitution four hundred years old, and intimately bound up with the various habits and interests of the body-politic arranged in a complicated hierarchy, a far easier task than it was. But any one, who looked more deeply into the difficulties of the enterprise than Marius probably did, might reflect that the army, although in the course of transition from a militia to a body of mercenaries, was still during this state of transition by no means adapted for the blind instrument of a *coup d'état*, and that an attempt to set aside the resisting elements by military means would have probably increased the power of resistance in his antagonists. To mix up the organized armed force in the struggle could not but appear at the first glance superfluous and at the second hazardous; they were just at the beginning of the crisis, and the antagonistic elements were still far from having reached their last, shortest, and simplest expression.

The popular party.

Marius therefore discharged the army after his triumph in accordance with the existing regulation, and entered on the course traced out by Gaius Gracchus for procuring supremacy in the state by taking upon himself its constitutional magistracies. In this enterprise he found himself dependent for support on what was called the popular party, and sought his allies in its leaders for the time being all the more, that the victorious general by no means possessed the gifts and experiences requisite for the command of the streets. Thus the democratic party after long insignificance suddenly regained political importance. It had, in the long interval from Gaius Gracchus to Marius, materially deteriorated. The dissatisfaction with the senatorial government was not now perhaps less than it was then; but several of the hopes, which had brought to the Gracchi their most faithful adherents, had in the meanwhile been recognized as illusory, and there had sprung up in many minds a misgiving that

this Gracchan agitation tended towards an issue whither a very large portion of the discontented were by no means willing to follow it. In fact, amidst the chase and turmoil of twenty years there had been rubbed off and worn away very much of the fresh enthusiasm, the steadfast faith, the moral purity of effort, which mark the early stages of revolutions. But, if the democratic party was no longer what it had been under Gaius Gracchus, the leaders of the intervening period were now as far beneath their party as Gaius Gracchus had been exalted above it. This was implied in the nature of the case. Until there should emerge a man having the boldness like Gaius Gracchus to grasp at the supremacy of the state, the leaders could only be stop-gaps: either political novices, who gave furious vent to their youthful love of opposition and then, when duly accredited as fiery declaimers and favourite speakers, effected with more or less dexterity their retreat to the camp of the government-party; or people who had nothing to lose in respect of property and influence and little usually either to gain or lose in respect of honour, and who made it their business to obstruct and annoy the government from personal exasperation or even from the mere pleasure of creating a noise. To the former sort belonged, for instance, Gaius Memmius (p. 156) and the well-known orator Lucius Crassus, who turned the oratorical laurels which they had won in the ranks of the opposition to account in the sequel as zealous partisans of the government.

Glaucia.

But the most notable leaders of the popular party about this time were men of the second sort. Such were Gaius Servilius Glaucia, called by Cicero the Roman Hyperbolus, a vulgar fellow of the lowest origin and of the most shameless street-eloquence, but effective and even dreaded by reason of his pungent wit; and his better and abler associate, Lucius Appuleius Saturninus, who even according to the accounts of his enemies was a fiery and impressive speaker, and was at least not guided by motives of vulgar selfishness. When he was quaestor, the charge of the importation of corn which had fallen to him in the usual way had been withdrawn from him by decree of the senate, not so much perhaps on account of maladministration, as in order to confer this—just at

Saturninus

that time popular—office on one of the heads of the government-party, Marcus Scaurus, rather than upon an unknown young man belonging to none of the ruling families. This mortification had driven the aspiring and sensitive man into the ranks of the opposition; and as tribune of the people in 651 he repaid what he had received with interest. One 103.
scandalous affair had then followed hard upon another. He had spoken in the open market of the briberies practised in Rome by the envoys of king Mithradates—these revelations, compromising in the highest degree the senate, had wellnigh cost the bold tribune his life. He had excited a tumult against the conqueror of Numidia, Quintus Metellus, when he was a candidate for the censorship in 652, and kept him 102.
besieged in the Capitol till the equites liberated him not without bloodshed; the retaliatory measure of the censor Metellus—the expulsion with infamy of Saturninus and of Glaucia from the senate on occasion of the revision of the senatorial roll—had only miscarried through the remissness of the colleague assigned to Metellus. Saturninus mainly had carried that exceptional commission against Caepio and his associates (p. 195) in spite of the vehement resistance of the government-party; and in opposition to the same he had carried the keenly contested re-election of Marius as consul for 652. Saturninus was decidedly the most energetic enemy 102.
of the senate and the most active and eloquent leader of the popular party since Gaius Gracchus; but he was also violent and unscrupulous beyond any of his predecessors, always ready to descend into the street and to refute his antagonist with blows instead of words.

Such were the two leaders of the so-called popular party, who now made common cause with the victorious general. It was natural that they should do so; their interests and aims coincided, and even in the earlier candidatures of Marius Saturninus at least had most decidedly and most effectively taken his side. It was agreed between them that for 654 100.
Marius should become a candidate for a sixth consulship, Saturninus for a second tribunate, Glaucia for the praetorship, in order that, possessed of these offices, they might carry out the intended revolution in the state. The senate acquiesced in the nomination of the less dangerous Glaucia,

but did what it could to hinder the election of Marius and Saturninus, or at least to associate with the former a determined antagonist in the person of Quintus Metellus as his colleague in the consulship. All appliances, lawful and unlawful, were put in motion by both parties; but the senate was not successful in arresting the dangerous conspiracy in the bud. Marius did not disdain in person to solicit votes and, it was said, even to purchase them; in fact, at the tribunician elections when nine men from the list of the government-party were proclaimed, and the tenth place seemed already secured for a respectable man of the same complexion Quintus Nunnius, the latter was set upon and slain by a savage band, which is said to have been mainly composed of discharged soldiers of Marius. Thus the conspirators gained their object, although by the most violent means. Marius was chosen as consul, Glaucia as praetor, Saturninus
100. as tribune of the people for 654; the second consular place was obtained not by Quintus Metellus, but by an insignificant man, Lucius Valerius Flaccus: the confederates might proceed to put into execution the further schemes which
121. they contemplated and to complete the work broken off in 633.

The Appuleian laws.

Let us recall the objects which Gaius Gracchus pursued, and the means by which he pursued them. His object was to break down the oligarchy within and without. He aimed, on the one hand, to restore the power of the magistrates which had become completely dependent on the senate to its original sovereign rights, and to re-convert the senatorial assembly from a governing into a deliberative board: and, on the other hand, to put an end to the aristocratic division of the state into the three classes of the ruling burgesses, the Italian allies, and the subjects, by the gradual equalization of those distinctions which were incompatible with a government not oligarchical. These ideas the three confederates revived in the colonial laws, which Saturninus as tribune
103. of the people had partly introduced already (651), partly now
100. introduced (654).* As early as the former year the inter-

* It is not possible to distinguish exactly what belongs to the first and what to the second tribunate of Saturninus; the more especially, as in both he evidently followed out the same Gracchan tendencies. The African agrarian law is definitely placed by the treatise *De Viris Ill.* 73, 1 in 651; and this date

rupted distribution of the Carthaginian territory had been resumed primarily for the benefit of the soldiers of Marius—not the burgesses only but, as it would seem, also the Italian allies—and each of these veterans had been promised an allotment of 100 *iugera*, or about five times the size of an ordinary Italian farm, in the province of Africa. Now not only was the provincial land already available claimed in its widest extent for the Romano-Italian emigration, but also all the land of the still independent Celtic tribes beyond the Alps, by virtue of the legal fiction that through the conquest of the Cimbri all the territory occupied by these had been acquired *de jure* by the Romans. Gaius Marius was called to conduct the assignations of land and the farther measures that might appear necessary in this behalf; and the temple-treasures of Tolosa, which had been embezzled but were refunded or had still to be refunded by the guilty aristocrats, were destined for the new recipients of lands. This law therefore not only revived the plans of conquest beyond the Alps and the projects of Transalpine and transmarine colonization, which Gaius Gracchus and Flaccus had sketched, on the most extensive scale; but, by admitting the Italians along with the Romans to emigration and yet undoubtedly prescribing the erection of all the new communities as burgess-colonies, it formed a first step towards satisfying the claims—to which it was so difficult to give effect, and which yet could not be in the long run refused—of the Italians to be placed on an equality with the Romans. First of all, however, if the law passed and Marius was called to the independent carrying out of these immense schemes of conquest and assignation, he would become practically—until those plans should be realized or rather, considering their indefinite and unlimited character, for his lifetime—monarch of Rome; with which view it may be presumed that Marius intended to have his consulship annually renewed, like the tribunate of Gracchus. But, amidst the agreement of the political positions marked out for the younger Gracchus and for

accords with the termination, which had taken place just shortly before, of the Jugurthine war. The second agrarian law belongs beyond doubt to 654. The treason-law and the corn-law have been only conjecturally placed, the former in 651 (p. 195), the latter in 654. 103. 100.

Marius in all other essential particulars, there was yet a very material distinction between the land-assigning tribune and the land-assigning consul in the fact, that the former was to occupy a purely civil position, the latter a military position as well; a distinction, which partly but by no means solely arose out of the personal circumstances under which the two men had risen to the head of the state.

While such was the nature of the aim which Marius and his comrades had proposed to themselves, the next question related to the means by which they purposed to break down the resistance—that might be anticipated to be obstinate—of the government party. Gaius Gracchus had fought his battles with the aid of the capitalist class and the proletariate. His successors did not neglect to make advances likewise to these. The equites were not only left in possession of the tribunals, but their power as jurymen was considerably increased, partly by a stricter ordinance regarding the standing commission—especially important to the merchants—as to extortions on the part of the public magistrates in the provinces, which Glaucia carried probably in this year, partly
103. by the special tribunal, appointed doubtless as early as 651 on the proposal of Saturninus, respecting the embezzlements and other official malversations that had occurred during the Cimbrian commotion in Gaul. For the benefit, moreover, of the proletariate of the capital the sum below cost price, which hitherto had to be paid on occasion of the distributions of grain for the *modius*, was lowered from $6\frac{1}{2}$ *asses* to a mere nominal charge of $\frac{5}{6}$ of an *as*. But although they did not despise the alliance with the equites and the proletariate of the capital, the real power by which the confederates enforced their measures lay not in these, but in the discharged soldiers of the Marian army, who for that very reason had been provided for in the colonial laws themselves after so extravagant a fashion. In this also was evinced the predominating military character, which forms the chief distinction between this attempt at revolution and that which preceded it.

Violent proceedings in the voting.

They went to work accordingly. The corn and colonial laws encountered, as was to be expected, the keenest opposition from the government. They proved in the senate

by striking figures, that the former must make the public treasury bankrupt; Saturninus did not trouble himself about that. They brought tribunician intercession to bear against both laws; Saturninus ordered the voting to go on. They informed the magistrates presiding at the voting that a peal of thunder had been heard, a portent by which according to ancient belief the gods enjoined the dismissal of the public assembly; Saturninus remarked to the messengers that the senate would do well to keep quiet, otherwise the thunder might very easily be followed by hail. Lastly the urban quaestor, Quintus Caepio, the son, it may be presumed, of the general condemned three years before,* and like his father a vehement antagonist of the popular party, with a band of devoted partisans dispersed the comitia by violence. But the hardy soldiers of Marius, who had flocked in crowds to Rome to vote on this occasion, quickly rallied and dispersed the city bands, and on the voting ground thus reconquered the vote on the Appuleian laws was successfully brought to an end. The scandal was grievous; but when it came to the question whether the senate would comply with the clause of the law that within five days after its passing every senator should on pain of forfeiting his senatorial seat take an oath faithfully to observe it, all the senators took the oath with the single exception of Quintus Metellus, who preferred to go into exile. Marius and Saturninus were not displeased to see the best general and the ablest man among their opponents removed from the state by voluntary banishment.

The fall of the revolutionary party.

Their object seemed to be attained; but even now to those who saw more clearly the enterprise could not appear other than a failure. The cause of the failure lay mainly in the awkward alliance between a politically incapable general and a street-demagogue, able but recklessly violent, and filled with passion rather than with the aims of a statesman. They had agreed excellently, so long as the question related to their

* All indications point to this conclusion. The elder Quintus Caepio was consul in 648, the younger quaestor in 651 or 654, the former consequently was born about or before 605, the latter about 624 or 627. The fact that the former died without leaving sons (Strabo, iv. 188) is not inconsistent with this view, for the younger Caepio fell in 664, and the elder, who ended his life in exile at Smyrna, may very well have survived him.

plans alone. But when the plans came to be executed, it was very soon apparent that the celebrated general was in politics a mere incapable; that his ambition was that of the farmer who would cope with and, if possible, surpass the aristocrats in titles, and not that of the statesman who desires to govern because he feels within him the power to do so; that every enterprise, which was based on his personal standing as a politician, must necessarily even under the most favourable circumstances be ruined by himself.

Opposition of the whole aristocracy.

He knew neither the art of gaining his antagonists, nor that of keeping his own party in subjection. The opposition against him and his comrades was even of itself sufficiently considerable; for not only did the government party belong to it in a body, but also a great part of the burgesses, who guarded with jealous eyes their exclusive privileges against the Italians; and by the course which things took the whole class of the wealthy was also driven over to the government. Saturninus and Glaucia were from the first masters and servants of the proletariate and therefore not at all on a good footing with the moneyed aristocracy, which had no objection now and then to check the senate by means of the rabble, but had no liking for street-riots and violent outrages. As early as the first tribunate of Saturninus his armed bands had their skirmishes with the equites; the vehement
100. opposition which his election as tribune for 654 encountered shows clearly how small was the party favourable to him. It should have been the endeavour of Marius to avail himself of the dangerous help of such associates only in moderation, and to convince all and sundry that they were destined not to rule, but to serve him as their ruler. As he did precisely the contrary, and the matter came to look quite as if the object was to place the government in the hands not of an intelligent and vigorous master, but of the mere *canaille*, the men of material interests, terrified to death at the prospect of such confusion, again attached themselves closely to the senate in presence of this common danger. While Gaius Gracchus, clearly perceiving that no government could be overthrown by means of the proletariate alone, had especially sought to gain over to his side the propertied classes, those who desired

to continue his work began by producing a reconciliation between the aristocracy and the *bourgeoisie*.

Variance between Marius and the demagogues.

But the ruin of the enterprise was brought about, still more rapidly than by this reconciliation of enemies, through the dissension which the more than ambiguous behaviour of Marius necessarily produced among its promoters. While the decisive proposals were brought forward by his associates and carried after a struggle by his soldiers, Marius maintained an attitude wholly passive, as if the political leader was not bound quite as much as the military, when the brunt of battle came, to present himself everywhere and foremost in person. Nor was this all; he was terrified at, and fled from the presence of, the spirits which he had himself evoked. When his associates resorted to expedients which an honourable man could not approve, but without which in fact the object of their efforts could not be attained, he attempted, in the fashion usual with men whose ideas of political morality are confused, to wash his hands of participation in those crimes and at the same time to profit by their results. There is a story that the general once conducted secret negotiations in two different apartments of his house, with Saturninus and his partisans in the one, and with the deputies of the oligarchy in the other, talking with the former of striking a blow against the senate, and with the latter of interfering against the revolt, and that under a pretext which was in keeping with the anxiety of the situation he went to and fro between the two conferences—a story as certainly invented, and as certainly appropriate, as any incident in Aristophanes. The ambiguous attitude of Marius became notorious in the question of the oath. At first he seemed as though he would himself refuse the oath required by the Appuleian laws on account of the informalities that had occurred at their passing, and then swore it with the reservation, "so far as the laws were really valid;" a reservation which annulled the oath itself, and which of course all the senators likewise adopted in swearing, so that by this mode of taking the oath the validity of the laws was not secured, but on the contrary was for the first time really called in question.

The consequences of this behaviour—stupid beyond parallel—on the part of the celebrated general soon developed

themselves. Saturninus and Glaucia had not undertaken the revolution and procured for Marius the supremacy of the state, in order that they might be disowned and sacrificed by him; if Glaucia, the favourite jester of the people, had hitherto lavished on Marius the gayest flowers of his jovial eloquence, the garlands which he now wove for him were by no means redolent of roses and violets. A total rupture took place, by which both parties were lost; for Marius had not a footing sufficiently firm singly to maintain the colonial law which he had himself called in question and to possess himself of the position which it assigned to him, nor were Saturninus and Glaucia in a condition to continue on their own account the work which Marius had begun.

Saturninus isolated.

But the two demagogues were so compromised that they could not recede; they had no alternative save to resign their offices in the usual way and thereby to deliver themselves with their hands bound to their exasperated opponents, or now to grasp the sceptre for themselves, although they felt that they could not bear its weight. They resolved on the latter course; Saturninus would come forward once more as
99. a candidate for the tribunate of the people for 655, Glaucia, although praetor and not eligible for the consulship till two years had elapsed, would become a candidate for the latter. In fact the tribunician elections were decided thoroughly to their mind, and the attempt of Marius to prevent the spurious Tiberius Gracchus from soliciting the tribuneship served only to show the celebrated man what was now the worth of his popularity; the multitude broke the doors of the prison in which Gracchus was confined, bore him in triumph through the streets, and elected him by a great majority as their tribune. Saturninus and Glaucia sought to control the more important consular election by the expedient for the removal of inconvenient competitors which had been tried in the previous year; the counter-candidate of the government-party, Gaius Memmius—the same who eleven years before had led the opposition against them (p. 157)—was suddenly assailed
Saturninus assailed, by a band of ruffians and beaten to death. But the government-party had only waited for a striking event of this sort in order to employ force. The senate required the consul Gaius Marius to interfere, and the latter in reality professed

his readiness now to draw in behalf of the conservative party the sword, which he had obtained from the democracy and had promised to wield in its favour. The young men were hastily called out, equipped with arms from the public buildings, and drawn up in military array; the senate itself appeared under arms in the Forum, with its venerable chief Marcus Scaurus at its head. The opposite party were perhaps superior in a street-riot, but were not prepared for such an attack; they had to defend themselves as they could. They broke open the doors of the prisons, and called the slaves to liberty and to arms; they proclaimed—so it was said at any rate—Saturninus as king or general; on the day when the new tribunes of the people had to enter on their office, the 10th of December 654, a battle occurred in the great market-place—the first which had ever been fought within the walls of the capital. The issue was not for a moment doubtful. The Populares were beaten and driven up to the Capitol, where the supply of water was cut off from them and they were thus compelled to surrender. Marius, who held the chief command, would gladly have saved the lives of his former allies who were now his prisoners; Saturninus proclaimed to the multitude that all which he had proposed had been done in concert with the consul: even a worse man than Marius was could not but shudder at the inglorious part which he played on this day. But he had long ceased to be master of affairs. Without orders the young nobles climbed the roof of the senate-house in the Forum where the prisoners were temporarily confined, stripped off the tiles, and with these stoned their victims. Thus Saturninus perished with most of the more notable prisoners. Glaucia was found in a lurking-place and likewise put to death. Without trial or sentence there died on this day four magistrates of the Roman people—a praetor, a quaestor, and two tribunes of the people—and a number of other well-known men, some of whom belonged to good families. In spite of the grave faults by which the chiefs had invited on themselves this bloody retribution, we may nevertheless lament them: they fell like advanced posts, which are left unsupported by the main army and are forced to perish without object in a conflict of despair.

100. and overpowered.

Ascendancy of the government.

Never had the government party achieved a more complete victory, never had the opposition suffered a more severe defeat, than on this 10th of December. It was the least part of the success that they had got rid of some troublesome brawlers, whose places might be supplied any day by associates of a like stamp; it was of greater moment that the only man, who was then in a position to become dangerous to the government, had publicly and completely effected his own annihilation; and most important of all that the two elements of the opposition, the capitalist order and the proletariate, emerged from the strife wholly at variance. It is true that this was not the work of the government; the fabric which had been put together by the adroit hands of Gaius Gracchus had been broken up, partly by the force of circumstances, partly and especially by the coarse and boorish management of his incapable successor; but in the result it mattered not whether calculation or good fortune helped the government to its victory. A more pitiful position can hardly be conceived than that occupied by the hero of Aquae and Vercellae after such a downfall—all the more pitiful, because people could not but compare it with the *éclat* which only a few months before surrounded the same man. No one either on the aristocratic or the democratic side any longer thought of the victorious general on occasion of filling up the magistracies; the hero of six consulships could not even venture to become a candidate in 656 for the censorship. He went away to the East, ostensibly for the purpose of fulfilling a vow there, but in reality that he might not be a witness of the triumphant return of his mortal foe Quintus Metellus; he was suffered to go. He returned and opened his house; his halls stood empty. He always hoped that conflicts and battles would occur and that the people would once more need his experienced arm; he thought to provide himself with an opportunity for war in the East, where the Romans might certainly have found sufficient occasion for energetic interference. But this also miscarried, like every other of his wishes; profound peace continued to prevail. Yet the longing after honours once aroused within him, the oftener it was disappointed, ate the more deeply into his mind. Superstitious as he was, he cherished in his breast

Marius politically annihilated.

98.

an old oracular saying which had promised him seven consulships, and in gloomy meditation brooded over the means by which this utterance was to obtain its fulfilment and he to obtain his revenge, while he appeared to all, himself alone excepted, insignificant and innocuous.

The equestrian party.

Still more important in its consequences than the setting aside of the dangerous man was the deep exasperation against the Populares, as they were called, which the insurrection of Saturninus left behind in the party of material interests. With the most remorseless severity the equestrian tribunals condemned every one who professed oppositional views; Sextus Titius, for instance, was condemned not so much on account of his agrarian law as because he had in his house a statue of Saturninus; Gaius Appuleius Decianus was condemned, because he had as tribune of the people characterized the proceedings against Saturninus as illegal. Even for earlier injuries inflicted by the Populares on the aristocracy satisfaction was now demanded, not without prospect of success, before the equestrian tribunals. Because Gaius Norbanus had eight years previously in concert with Saturninus driven the consular Quintus Caepio into exile (p. 195) he was now (659) under his own law 95. accused of high treason, and the jurymen hesitated long —not whether the accused was guilty or innocent, but whether his ally Saturninus or his enemy Caepio was to be regarded as the more deserving of their hate—till at last they decided for acquittal. Even if people were not more favourably disposed towards the government in itself than before, yet, after having found themselves, although but for a moment, on the verge of a real mob-rule, all men who had anything to lose could not but look on the existing government in a different light; it was notoriously wretched and pernicious for the state, but the anxious dread of the still more wretched and still more pernicious government of the proletariate had conferred on it a relative value. The current now set so much in that direction that the multitude tore in pieces a tribune of the people who had ventured to postpone the return of Quintus Metellus, and the democrats began to seek their safety in league with murderers and poisoners—ridding themselves, for example, of the hated

Metellus by poison—or even in league with the public enemy, several of them already taking refuge at the court of king Mithradates who was secretly preparing for war against Rome. External relations also assumed an aspect favourable for the government. The Roman arms were employed but little in the period from the Cimbrian to the Social war, but everywhere with honour. The only serious conflict was in Spain,
105. where, during the recent years so trying for Rome (649 *seq.*),
the Lusitanians and Celtiberians had risen with unwonted
98–93. vehemence against the Romans. In the years 656–661 the consul Titus Didius in the northern and the consul Publius Crassus in the southern province not only re-established with valour and good fortune the ascendancy of the Roman arms, but also razed the refractory towns and, where it seemed necessary, transplanted the population of the strong towns among the mountains to the plains. We shall show in the sequel that about the same time the Roman government again directed its attention to the East which had been for a generation neglected, and displayed greater energy than had been heard of for long in Cyrene, Syria, and Asia Minor. Never since the commencement of the revolution had the government of the restoration been so firmly established, or so popular. Consular laws were substituted for tribunician; restrictions on liberty replaced measures of progress. The cancelling of the laws of Saturninus was a matter of course; the transmarine colonies of Marius disappeared down to a single petty settlement on the barbarous island of Corsica. When the tribune of the people Sextus Titius—a caricatured Alcibiades, who was greater in dancing and ball-playing than in politics, and whose most eminent talent consisted in breaking the images of the gods in the streets at night—
99. re-introduced and carried the Appuleian agrarian law in 655,
the senate was able to annul the new law on a religious pretext without any one even attempting to defend it; the author of it was punished, as we have already mentioned, by
98. the equites in their tribunals. Next year (656) a law brought in by the two consuls made the usual seven days' interval between the introduction and the passing of a project of law obligatory, and forbade the combination of several enactments different in their nature in one proposal; by which means the

unreasonable extent of the initiative power in legislation was at least somewhat restricted, and the government was prevented from being openly taken by surprise with new laws. It became daily more evident that the Gracchan constitution, which had survived the fall of its author, was now, since the multitude and the moneyed aristocracy no longer went together, tottering to its foundations. As that constitution had been based on division in the ranks of the aristocracy, so it seemed that dissensions in the ranks of the opposition could not fail to bring about its fall. Now, if ever, the time had come for completing the unfinished work of restoration of 633, for making the Gracchan constitution 121.
share the fate of the tyrant, and for replacing the governing oligarchy in the sole possession of political power.

Collision between the senate and equites in the administration of the provinces.

Everything depended on recovering the nomination of the jurymen. The administration of the provinces—the chief foundation of the senatorial government—had become dependent on the jury courts, more particularly on the commission regarding exactions, to such a degree that the governor of a province seemed to administer it no longer for the senate, but for the order of capitalists and merchants. Ready as the moneyed aristocracy always was to meet the government when measures against the democrats were in question, it sternly resented every attempt to restrict it in this its well-acquired right of unlimited sway in the provinces. Several such attempts were now made; the governing aristocracy began again to feel its strength, and its very best men reckoned themselves bound, at least for their own part, to oppose the dreadful maladministration in the provinces. The most resolute in this respect was Quintus Mucius Scaevola, like his father Publius *pontifex maximus* and in 659 consul, the foremost jurist and one of the most excellent 95.
men of his time. As practorian governor (about 656) of 98.
Asia, the richest and worst abused of all the provinces, he—in concert with his older friend, distinguished as an officer, jurist, and historian, the consular Publius Rutilius Rufus—set a severe and deterring example. Without making any distinction between Italians and provincials, noble and ignoble, he took up every complaint, and not only compelled the Roman merchants and state-lessees to give full pecuniary

compensation for proven injuries, but, when some of their most important and most unscrupulous agents were found guilty of crimes deserving death, deaf to all offers of bribery he ordered them to be duly crucified. The senate approved his conduct, and even made it an instruction afterwards to the governors of Asia that they should take as their model the principles of Scaevola's administration; but the equites, although they did not venture to meddle with that high aristocratic and influential statesman himself, brought to
92. trial his associates and ultimately (about 662) even the most considerable of them, his legate Publius Rufus, who was defended only by his merits and recognized integrity, not by family connection. The charge that such a man had allowed himself to perpetrate exactions in Asia, almost broke down under its own absurdity and under the infamy of the accuser, one Apicius; yet the welcome opportunity of humbling the consular was not allowed to pass, and, when the latter, disdaining false rhetoric, mourning robes, and tears, defended himself briefly, simply, and to the point, and proudly refused the homage which the sovereign capitalists desired, he was actually condemned, and his moderate property was confiscated to satisfy fictitious claims for compensation. The condemned resorted to the province which he was alleged to have plundered, and there, welcomed by all the communities with honorary deputations, and praised and beloved during his lifetime, he spent in literary leisure his remaining days. And this disgraceful condemnation, while perhaps the worst, was by no means the only case of the sort. The senatorial party was exasperated, not so much perhaps by such an abuse of justice in the case of men of stainless walk but of new nobility, as by the fact that the purest nobility no longer sufficed to cover possible stains on its honour. Scarcely was Rufus out of the country, when the most respected of all aristocrats, for twenty years the chief of the senate, Marcus Scaurus at seventy years of age was brought to trial for exactions; a sacrilege according to aristocratic notions, even if he were guilty. The office of accuser began to be exercised professionally by worthless fellows, and neither irreproachable character, nor rank, nor age longer furnished protection from the most wicked and most dangerous attacks. The commission regarding exac-

tions was converted from a shield of the provincials into their worst scourge; the most notorious robber escaped with impunity, if he only indulged his fellow-robbers and did not refuse to allow part of the sums exacted to reach the jury; but any attempt to respond to the equitable demands of the provincials for right and justice sufficed for condemnation. It seemed as if the intention was to bring the Roman government into the same dependence on the controlling court, as that in which the college of judges at Carthage had formerly kept the council there. The prescient expression of Gaius Gracchus was finding fearful fulfilment, that with the dagger of his law as to the juries the nobility would lacerate their own flesh.

Livius Drusus.

An attack on the equestrian courts was inevitable. Every one in the government party who was still alive to the fact that governing implied not merely rights but also duties, every one in fact who still felt any nobler or prouder ambition within him, could not but rise in revolt against this oppressive and disgraceful political control, which precluded any possibility of upright administration. The scandalous condemnation of Rutilius Rufus seemed a summons to begin the attack at once, and Marcus Livius Drusus, who was tribune of the people in 663, regarded that summons as specially addressed to himself. Son of the man of the same name, who thirty years before had primarily caused the overthrow of Gaius Gracchus (p. 131) and had afterwards made himself a name as an officer by the subjugation of the Scordisci (p. 186), Drusus was, like his father, of strictly conservative views, and had already given practical proof that such were his sentiments in the insurrection of Saturninus. He belonged to the circle of the highest nobility, and was the possessor of a colossal fortune; in disposition too he was a genuine aristocrat—a man emphatically proud, who scorned to bedeck himself with the insignia of his offices, but declared on his death-bed that there would not soon arise a citizen like him; a man with whom the beautiful saying, that nobility constitutes obligation, was and continued to be the rule of his life. With all the vehement earnestness of his temperament he had turned away from the frivolity and venality that marked the nobles of the common stamp; trustworthy and strict in

91.

morals, he was respected rather than properly beloved on the part of the common people, to whom his door and his purse were always open, and notwithstanding his youth, he was through the personal dignity of his character a man of weight in the senate as in the Forum. Nor did he stand alone. Marcus Scaurus had the courage on occasion of his defence in his trial for extortion publicly to summon Drusus to undertake a reform of the judicial arrangements; he and the famous orator, Lucius Crassus, were in the senate the most zealous champions of his proposals, and were perhaps associated with him in originating them. But the mass of the governing aristocracy was by no means of the same mind with Drusus, Scaurus, and Crassus. There were not wanting in the senate decided adherents of the capitalist party, among whom in particular a conspicuous place belonged to the consul of the day, Lucius Marcius Philippus, who maintained the cause of the equestrian order as he had formerly maintained that of the democracy (p. 145) with zeal and prudence, and to the daring and reckless Quintus Caepio, who was induced to this opposition primarily by his personal hostility to Drusus and Scaurus. More dangerous, however, than these decided opponents was the cowardly and corrupt mass of the aristocracy, who no doubt would have preferred to plunder the provinces alone, but in the end had not much objection to share the spoil with the equites, and, instead of taking in hand the grave and perilous struggle against the haughty capitalists, reckoned it far more equitable and easy to purchase impunity at their hands by fair words and by an occasional prostration or even by a round sum. The result alone could show how far success would attend the attempt to carry along with the movement this body, without which it was impossible to attain the desired end.

Attempt at reform on the part of the moderate aristocracy.

Drusus drew up a proposal to withdraw the functions of jurymen from the burgesses of equestrian rating and to restore them to the senate, which at the same time was to be put in a position to meet its increased obligations by the admission of 300 new members; a special criminal commission was to be appointed for pronouncing judgment in the case of those jurymen who had been or should be guilty of accepting bribes. By this means the immediate object was

gained; the capitalists were deprived of their political exclusive rights, and were rendered responsible for the perpetration of injustice. But the proposals and designs of Drusus were by no means limited to this; his projects were not measures adapted merely for the occasion, but a comprehensive and thoroughly considered plan of reform. He proposed, moreover, to increase the largesses of grain and to cover the increased expense by the permanent issue of a proportional number of copper plated, alongside of the silver, *denarii*; and then to set apart all the still undistributed arable land of Italy—thus including in particular the Campanian domains—and the best part of Sicily for the settlement of burgess-colonists. Lastly, he entered into the most distinct obligations towards the Italian allies to procure for them the Roman franchise. Thus the very same supports of power and the very same ideas of reform, on which the constitution of Gaius Gracchus had rested, presented themselves now on the side of the aristocracy—a singular, and yet easily intelligible coincidence. It was only to be expected that, as the *tyrannis* had rested for its support against the oligarchy, so the latter should rest for its support against the moneyed aristocracy, on the paid and in some degree organized proletariate; while the government had formerly accepted the feeding of the proletariate at the expense of the state as an inevitable evil, Drusus now thought of employing it, at least for the moment, against the moneyed aristocracy. It was only to be expected that the better part of the aristocracy, just as it formerly consented to the agrarian law of Tiberius Gracchus, would now readily consent to all those measures of reform, which, without touching the question of a supreme head, only aimed at the cure of the old evils of the state. In the question of emigration and colonization, it is true, they could not go so far as the democracy, since the power of the oligarchy mainly rested on their free control over the provinces and was endangered by any permanent military command; the ideas of equalizing Italy and the provinces and of making conquests beyond the Alps were not compatible with conservative principles. But the senate might very well sacrifice the Latin and even the Campanian domains as well as Sicily in order to raise

the Italian farmer class, and yet retain the government as before; to which fell to be added the consideration, that they could not more effectually obviate future agitations than by providing that all the land at all disposable should be brought to distribution by the aristocracy itself, and that according to Drusus' own expression, nothing should be left for future demagogues to distribute but "the dirt and the daylight." In like manner it was for the government—whether that might be a monarch, or a close number of ruling families—very much a matter of indifference whether the half or the whole of Italy possessed the Roman franchise; and hence the reforming men on both sides probably could not but coincide in the idea of averting the danger of a recurrence of the insurrection of Fregellae on a larger scale by a judicious and reasonable extension of the franchise, and of seeking allies, moreover, for their plans in the numerous and influential Italians. While in the question of the headship of the state the views and designs of the two great political parties were palpably different, the best men of both camps had many points of contact in their means of operation and in their reforming tendencies; and, as Scipio Aemilianus may be named alike among the adversaries of Tiberius Gracchus and among the promoters of his reforming efforts, so Drusus was the successor and disciple no less than the antagonist of Gaius. The two high-born and high-minded youthful reformers had a greater resemblance than was apparent at the first glance; and, personally also, the two were not unworthy to meet, as respects the substance of their patriotic endeavours, in purer and higher views above the obscuring mists of prejudiced partisanship.

Discussions on the Livian laws.

The question at stake was the passing of the laws drawn up by Drusus. Of these the proposer, just like Gaius Gracchus, kept in reserve for the moment the hazardous proposal to confer the Roman franchise on the Italian allies, and brought forward at first only the laws as to the jurymen, the assignation of land, and the distribution of grain. The capitalist party offered the most vehement resistance, and, in consequence of the irresolution of the greater part of the aristocracy and the vacillation of the comitia, would beyond question have carried the rejection of the law as to

jurymen, if it had been put to the vote by itself. Drusus accordingly embraced all his proposals in one law; and, as thus all the burgesses interested in the distributions of grain and land were compelled to vote also for the law as to jurymen, he succeeded in carrying the law with their help and that of the Italians, who stood firmly by Drusus with the exception of the large landowners, particularly those in Umbria and Etruria, whose domanial possessions were threatened. It was not carried, however, until Drusus had caused the consul Philippus, who would not desist from opposition, to be arrested and carried off to prison by a bailiff. The people celebrated the tribune as their benefactor, and received him in the theatre by rising up and applauding; but the voting had not so much decided the struggle as transferred it to another ground, for the opposite party justly characterized the proposal of Drusus as contrary to the law of 656 (p. 228) and therefore as null. The chief opponent 98.
of the tribune, the consul Philippus, summoned the senate on this ground to cancel the Livian law as informal; but the majority of the senate, glad to be rid of the equestrian courts, rejected the proposal. The consul thereupon declared in the open market that it was not possible to govern with such a senate, and that he would look out for another state-council: he seemed to meditate a *coup d'état*. The senate, convoked accordingly by Drusus, after stormy discussions pronounced a vote of censure and of want of confidence against the consul; but in secret a great part of the majority began to cherish apprehension respecting the revolution with which they seemed to be threatened on the part both of Philippus and of a large portion of the capitalists. Other circumstances added to that apprehension. One of the most active and eminent of those who shared the views of Drusus, the orator Lucius Crassus, died suddenly a few days after that sitting of the senate (Sept. 663). The connections formed 91.
by Drusus with the Italians, which he had at first communicated only to a few of his most intimate friends, became gradually divulged, and the furious cry of high treason which his antagonists raised was echoed by many, perhaps by most, men of the government party. Even the generous warning which he communicated to the consul Philippus, to

beware of the murderous emissaries of the Italians at the federal festival on the Alban Mount, served only further to compromise him, for it showed how deeply he was involved in the conspiracies springing up among the Italians.

The Livian law annulled.

Philippus insisted with daily increasing vehemence on the abrogation of the Livian law; the majority grew daily more lukewarm in its defence. A return to the former state of things soon appeared to the great multitude of the timid and the irresolute in the senate the only way of escape, and a decree cancelling the law on account of informality was issued. Drusus, after his fashion sternly acquiescing, contented himself with the remark that it was the senate itself which thus restored the hated equestrian courts, and waived his right to render the decree of cassation invalid by means of his veto. The attack of the senate on the capitalist party was totally repulsed, and willingly or unwillingly they submitted once more to the former yoke.

Murder of Drusus.

But the great capitalists were not content with having conquered. One evening, when Drusus at his entrance hall was just about to take leave of the multitude which as usual escorted him, he suddenly dropped down in front of the image of his father; an assassin's hand had struck him, and so surely that a few hours afterwards he expired. The perpetrator had vanished in the evening twilight without any one recognizing him, and no judicial investigation took place; but none such was needed to bring to light in this case the dagger with which the aristocracy pierced its own flesh. The same violent and terrible end, which had swept away the democratic reformers, was destined also for the Gracchus of the aristocracy. It involved a profound and melancholy lesson. Reform was frustrated by the resistance or by the weakness of the aristocracy, even when the attempt at reformation proceeded from their own ranks. Drusus had staked his strength and his life in the attempt to overthrow the dominion of the merchants, to organize emigration, to avert the impending civil war; he himself saw the merchants ruling more absolutely than ever, found all his ideas of reform frustrated, and died with the consciousness that his sudden death would be the signal for the most fearful civil war that ever desolated the fair land of Italy.

CHAPTER VII.

THE REVOLT OF THE ITALIAN SUBJECTS, AND THE SULPICIAN REVOLUTION.

Romans and Italians.

FROM the time when the defeat of Pyrrhus had put an end to the last war which the Italians had waged for their independence—or, in other words, for nearly two hundred years—the Roman primacy had now subsisted in Italy, without having been once shaken in its foundations even under circumstances of the utmost peril. Vainly had the heroic family of the Barcides, vainly had the successors of Alexander the Great and of the Achaemenidae, endeavoured to rouse the Italian nation to contend with the too powerful capital; it had obsequiously appeared in the fields of battle on the Guadalquivir and on the Mejerdah, at the pass of Tempe and at Mount Sipylus, and with the best blood of its youth had helped its masters to achieve the subjugation of three continents. Its own position meanwhile had changed, but had deteriorated rather than improved. In a material point of view, doubtless, it had in general not much ground to complain. Though the small and intermediate landholders throughout Italy suffered in consequence of the injudicious Roman legislation as to corn, the larger landlords and still more the mercantile and capitalist class were flourishing, for the Italians enjoyed, as respected the financial profits of the provinces, substantially the same protection and the same privileges as Roman burgesses, and thus shared to a great extent in the material advantages of the political ascendancy of the Romans. In general, the economic and social condition of Italy was not immediately dependent on political distinctions; there were allied districts, such as Umbria and Etruria, in which the class of free farmers had mostly disappeared, while in others, such as the valleys of the Abruzzi, the same class still maintained a tolerable footing or was

almost unaffected—just as a similar diversity could be pointed out in the different Roman tribes. On the other hand the political inferiority of Italy was daily displayed more harshly and more abruptly. No formal open breach of right indeed occurred, at least in the principal questions. The communal freedom, which under the name of sovereignty was accorded by treaty to the Italian communities, was on the whole respected by the Roman government; the attack, which the Roman reform party at the commencement of the agrarian agitation made on the Roman domains guaranteed to the more privileged communities, had not only been earnestly opposed by the strictly conservative as well as by the middle party in Rome, but had been very soon abandoned by the Roman opposition itself.

Disabilities and wrongs of the subjects.

But the rights, which belonged and could not but belong to Rome as the leading community—the supreme conduct of war-affairs, and the superintendence of the whole administration—were exercised in a way which was almost as bad as if the allies had been directly declared to be subjects without rights. The numerous modifications of the fearfully severe Roman martial law, which were introduced at Rome in the course of the seventh century, seemed to have remained wholly limited to the Roman burgess-soldiers: this is certain as to the most important, the abolition of executions by martial law (p. 117), and we may easily conceive the impression which was produced when, as happened in the Jugurthine war, Latin officers of repute were beheaded by sentence of the Roman council of war, while the lowest burgess-soldier had in the like case the right of presenting an appeal to the civil tribunals of Rome. The proportions in which the burgesses and Italian allies were to be drawn for military service had, as was fair, remained undefined by treaty; but, while in earlier times the two had furnished on an average equal numbers of soldiers (i. 118, 370), now, although the proportions of the population had changed probably in favour of the burgesses rather than to their disadvantage, the demands on the allies were by degrees increased disproportionately (i. 464, ii. 352), so that on the one hand they had the chief burden of the heavier and more costly service imposed on them, and on the other hand there

were two allies now regularly levied for one burgess. In like manner with this military supremacy the civil superintendence, which (including the supreme administrative jurisdiction which could hardly be separated from it) the Roman government had always and rightly reserved to itself over the dependent Italian communities, was extended in such a way that the Italians were hardly less than the provincials abandoned without protection to the caprice of any one of the numberless Roman magistrates. In Teanum Sidicinum, one of the most considerable of the allied towns, a consul had ordered the chief magistrate of the town to be scourged with rods at the stake in the market-place, because, on the consul's wife expressing a desire to bathe in the men's bath, the municipal officers had not driven forth the bathers quickly enough, and the bath appeared to her not to be clean. Similar scenes had taken place in Ferentinum, likewise a town *optimi juris*, and even in the old and important Latin colony of Cales. In the Latin colony of Venusia a free peasant had been seized by a young Roman diplomatist not holding office but passing through the town, on account of a jest which he had allowed himself to make on the Roman's litter, had been thrown down, and whipped to death with the straps of the litter. These occurrences are incidentally mentioned about the time of the Fregellan insurrection; it admits of no doubt that similar outrages frequently occurred, and of as little that no real satisfaction for such misdeeds could anywhere be obtained, whereas the right of appeal—not easily violated with impunity—protected in some measure at least the life and limbs of the Roman burgess. In consequence of this treatment of the Italians on the part of the Roman government, the variance, which the wisdom of their ancestors had carefully fostered between the Latin and the other Italian communities, could not fail, if not to disappear, at any rate to undergo abatement (ii. 355). The fortresses of Rome and the districts kept to their allegiance by the fortresses lived now under the like oppression; the Latin could remind the Picentine that they were both in like manner "subject to the fasces;" the overseers and the slaves of former days were now united by a common hatred towards the common despot.

While the present state of the Italian allies was thus transformed from an endurable dependence into the most oppressive bondage, they were at the same time deprived of every prospect of obtaining better rights. With the subjugation of Italy the Roman burgess-body had closed its ranks; the bestowal of the franchise on whole communities was totally given up, its bestowal on individuals was greatly restricted. Even the full liberty of migration belonging to the Old Latin burgesses, which procured for such of their members as transferred their abode to Rome the *civitas sine suffragio* there, had been curtailed in a manner offensive to the communities concerned (ii. 353). They now advanced a step farther: on occasion of the agitation which contemplated the extension of the Roman franchise to all Italy in the years
126. 122. 628, 632, the right of migration to Rome was itself attacked, and all the non-burgesses resident in Rome were directly ejected by decree of the people and of the senate from the capital (pp. 111, 130)—a measure as odious on account of its illiberality, as dangerous from the various private interests which it injuriously affected. In short, while the Italian allies had formerly stood to the Romans partly in the relation of brothers under tutelage, protected rather than ruled and not destined to perpetual minority, partly in that of slaves tolerably treated and not utterly deprived of the hope of manumission, they were now all of them subject nearly in equal degree, and with equal hopelessness, to the rods and axes of their Roman masters, and might at the utmost presume like privileged slaves to transmit the kicks received from their masters onward to the poor provincials.

The rupture.

It belongs to the nature of such differences that, restrained by the sense of national unity and by the remembrance of dangers surmounted in common, they make their appearance at first gently and as it were modestly, till the breach gradually widens and the relation between the rulers, whose might is their sole right, and the ruled, whose obedience reaches no farther than their fears, manifests at length undisguisedly the character of force. Down to the revolt and razing of Fregellae in 629, which as it were officially attested the altered character of the Roman rule, the ferment among the Italians did not properly wear a revolutionary character.

Fregellan war. [125.

The longing after equal rights had gradually risen from a silent wish to a loud request, only to be the more decidedly rejected, the more distinctly it was announced. It was very soon apparent that a voluntary concession was not to be hoped for, and the wish to extort what was refused would not be wanting; but the position of Rome at that time hardly permitted them to entertain any idea of realizing that wish. Although the numerical proportions of the burgesses and non-burgesses in Italy cannot be properly ascertained, it may be regarded as certain that the number of the burgesses was not very much less than that of the Italian allies; for nearly 400,000 burgesses capable of bearing arms there were at least 500,000, probably 600,000 allies.* So long as with such proportions the burgesses were united and there was no outward enemy worthy of mention, the Italian allies, split up into an endless number of isolated civic and cantonal communities, and connected with Rome by a thousand relations public and private, could never attain to common action; and with moderate prudence the government could not fail to control their troublesome and indignant subjects partly by the compact mass of the burgesses, partly by the very considerable resources which the provinces afforded, partly by setting one community against another.

Difficulty of a general insurrection.

Accordingly the Italians kept themselves quiet, till the revolution began to shake Rome; but, as soon as it had broken out, they entered into the movements and agitations of the Roman parties, with a view to obtain equality of rights

The Italians and the Roman parties.

* These figures are taken from the numbers of the census of 639 and 684; there were in the former year 394,336 burgesses capable of bearing arms, in the latter 910,000 (according to Phlegon *Fr.* 12 Müll. which statement Clinton and his copyists erroneously refer to the census of 668; according to Liv. *Ep.* 98 the number was—by the correct reading—900,000 persons). The only figures known between these two—those of the census of 668, which according to Hieronymus gave 463,000 persons—probably turned out so low only because the census took place amidst the crisis of the revolution. As an increase of the population of Italy is not conceivable in the period from 639 to 684, and even the Sullan assignations of land can at the most have but filled the gaps which the war had made, the surplus of fully 500,000 men capable of bearing arms may be referred with certainty to the reception of the allies which had taken place in the interval. But it is possible, and even probable, that in these fatal years the total amount of the Italian population may have retrograded rather than advanced: if we reckon the total deficit at 100,000 men capable of bearing arms, which seems not excessive, there were at the time of the Social War in Italy three non-burgesses for two burgesses. 115. 70.

by means of the one or the other. They had made common cause first with the popular and then with the senatorial party, and gained equally little by either. They had been driven to the conviction that, while the best men of both parties acknowledged the justice and equity of their claims, these best men, aristocrats as well as Populares, had equally little power to procure a hearing for those claims with the mass of their party. They had also observed that the most gifted, most energetic, and most celebrated statesmen of Rome had found themselves, at the very moment when they came forward as advocates of the Italians, deserted by their own adherents and had been accordingly overthrown. In all the vicissitudes of the thirty years of revolution and restoration governments enough had been installed and deposed, but, however the programme might vary, a short-sighted and narrow-minded spirit sat always at the helm.

The Italians and the oligarchy.

Above all, the recent occurrences had clearly shown how vain was the expectation of the Italians that their claims would be attended to by Rome. So long as the demands of the Italians were mixed up with those of the revolutionary party and had in the hands of the latter been rejected by the folly of the masses, they might still resign themselves to the belief that the oligarchy had been hostile merely to the proposers, not to the proposal itself, and that there was still a possibility that the more intelligent senate would accept a measure which was compatible with the nature of the oligarchy and salutary for the state. But the recent years, in which the senate once more ruled almost absolutely, had shed only too disagreeable a light on the designs of the Roman oligarchy also. Instead of the expected modifications,

95. The Licinio-Mucian law.

there was issued in 659 a consular law which most strictly prohibited the non-burgesses from laying claim to the franchise and threatened transgressors with trial and punishment—a law which threw back a large number of most respectable persons who were deeply interested in the question of equalization from the ranks of Romans into those of the Italians, and which in point of indisputable legality and of political folly stands completely on a parallel with that famous act which laid the foundation for the separation of North America from the mother-country; in fact

it became, just like that act, the proximate cause of the civil war. It was only so much the worse, that the authors of this law by no means belonged to the obstinate and incorrigible Optimates; they were no other than the sagacious and universally honoured Quintus Scaevola—destined like George Grenville by nature to be a jurist and by fate to be a statesman, who by his equally honourable and pernicious rectitude inflamed more than any one else first the war between senate and equites and then that between Romans and Italians—and the orator Lucius Crassus, the friend and ally of Drusus and altogether one of the most moderate and judicious of the Optimates.

The Italians and Drusus.

Amidst the vehement ferment, which this law and the numerous processes arising out of it called forth throughout Italy, the star of hope once more appeared to arise for the Italians in the person of Marcus Drusus. That which had been deemed almost impossible—that a conservative should take up the reforming ideas of the Gracchi, and should become the champion of equal rights for the Italians—had nevertheless occurred; a man of the high aristocracy had resolved to emancipate the Italians from the Sicilian Straits to the Alps and the government at one and the same time, and to apply all his earnest zeal, all his thorough devotedness to these generous plans of reform. Whether he actually, as was reported, placed himself at the head of a secret league, whose threads ramified through Italy and whose members bound themselves by an oath* to stand by each other for

* The form of oath is preserved (in Diodor. *Vat.* p. 118); it runs thus: "I swear by the Capitoline Jupiter and by the Roman Vesta and by the hereditary Mars and by the generative Sun and by the nourishing Earth and by the divine founders and enlargers of the City of Rome, that those shall be my friends and those shall be my foes who are friends or foes to Drusus; also that I will spare neither mine own life nor the life of my children or of my parents, except in so far as it is for the good of Drusus and those who share this oath. But if I should become a burgess by the law of Drusus, I will esteem Rome as my home and Drusus as the greatest of my benefactors. I shall tender this oath to as many of my fellow-citizens as I can; and if I swear truly, may it fare with me well; if I swear falsely, may it fare with me ill." But we shall do well to employ this account with caution; it is derived either from the speeches delivered against Drusus by Philippus (which seems to be indicated by the absurd title "oath of Philippus" prefixed by the extractor of the formula) or at best from the documents of criminal procedure subsequently drawn up respecting this conspiracy in Rome; and even on the latter hypothesis it remains questionable, whether this form of oath was elicited from the accused or imputed to them in the inquiry.

Drusus and for the common cause, cannot be ascertained; but, even if he did not lend himself to acts so dangerous and in fact unwarrantable for a Roman magistrate, yet it is certain that he did not keep to mere general promises, and that dangerous connections were formed in his name, although perhaps without his consent or against his will. With joy the Italians heard that Drusus had carried his first proposals with the consent of the great majority of the senate; with still greater joy all the communities of Italy celebrated not long afterwards the recovery of the tribune, who had been suddenly attacked by severe illness. But as the further designs of Drusus became unveiled, a change took place; he could not venture to bring in his chief law; he had to postpone, he had to delay, he had soon to retire. It was reported that the majority of the senate were vacillating and threatened to fall away from their leader; in rapid succession the tidings ran through the communities of Italy, that the law which had passed was annulled, that the capitalists ruled more absolutely than ever, that the tribune had been struck by the hand of an assassin, that he was dead (autumn of 663).

91. Preparations for general revolt against Rome.

The last hope that the Italians might obtain admission to Roman citizenship by agreement was buried with Marcus Drusus. A measure, which that conservative and energetic man had not been able under the most favourable circumstances to induce his own party to adopt, was not to be gained at all by amicable means. The Italians had no course left save to submit patiently or to repeat once more, and if possible with their united strength, the attempt which had been crushed in the bud five-and-thirty years before by the destruction of Fregellae—so as by force of arms either to destroy Rome and succeed to her heritage, or at least to compel her to grant equality of rights. The latter resolution was no doubt a resolution of despair; as matters stood, the revolt of the isolated urban communities against the Roman government might well appear still more hopeless than the revolt of the American colonies against the British empire; to all appearance the Roman government might with moderate attention and energy of action consign this second insurrection to the fate of its predecessor. But was it less a resolution of despair, to sit still and allow things to take their

course? When they recollected how the Romans had been in the habit of behaving in Italy without provocation, what could they expect now that the most considerable men in every Italian town had or were alleged to have had—the consequences on either supposition being pretty much the same—an understanding with Drusus, which was immediately directed against the party now victorious and might well be characterized as treason? All those who had taken part in this secret league, all in fact who might be merely suspected of participation, had no choice left save to begin the war or to bend their neck beneath the axe of the executioner.

Moreover, the present moment presented comparatively favourable prospects for a general insurrection throughout Italy. We are not exactly informed how far the Romans had carried out the dissolution of the larger Italian confederacies (i. 464); but it is not improbable that the Marsians, the Paelignians, and perhaps even the Samnites and Lucanians still preserved their old forms of federation, though these had lost their political significance and were in some cases probably reduced to mere associations for festivals and sacrifices. The insurrection, if it should now begin, would still find a rallying point in these unions; but who could say how soon the Romans would proceed to abolish these also? The secret league, moreover, which was alleged to be headed by Drusus, had lost in him its actual or expected chief, but it continued to exist and afforded an important nucleus for the political organization of the insurrection; while its military organization might be based on the fact that each allied town possessed its own armament and experienced soldiers. In Rome on the other hand no serious preparations had been made. It was reported, indeed, that restless movements were occurring in Italy, and that the communities of the allies maintained a remarkable intercourse with each other; but instead of calling the citizens in all haste to arms, the governing corporation contented itself with exhorting the magistrates in the customary fashion to watchfulness and with sending out spies to learn farther particulars. The capital was so totally undefended, that a resolute Marsian officer Quintus Pompaedius Silo, one of the most intimate friends of Drusus, is said to have formed the design of steal-

ing into the city at the head of a band of trusty associates carrying swords under their clothes, and of seizing it by a *coup de main*. Preparations were accordingly made for a revolt; treaties were concluded, and arming went on silently but actively, till at last, as usual, the insurrection broke out through an accident somewhat earlier than the leading men had intended.

Outbreak of the insurrection. Asculum.

The Roman praetor with proconsular powers, Gaius Servilius, informed by his spies that the town of Asculum (Ascoli) in the Abruzzi was sending hostages to the neighbouring communities, proceeded thither with his legate Fonteius and a small escort, and addressed to the multitude, which was just then assembled in the theatre for the celebration of the great games, a vehement and menacing harangue. The sight of the axes known only too well, the proclamation of threats that were only too earnest, threw the spark into the fuel of bitter hatred that had been accumulating for centuries; the Roman magistrates were torn to pieces by the multitude in the theatre itself, and immediately, as if it were their intention by a fearful outrage to cut off every chance of reconciliation, the gates were closed by command of the magistracy, all the Romans residing in Asculum were put to death, and their property was plundered. The revolt ran through the peninsula like the flame through the steppe.

Marsians and Sabellians.

The brave and numerous people of the Marsians took the lead, in connection with the small but hardy confederacies in the Abruzzi—the Paelignians, Marrucinians, Frentanians, and Vestinians. The brave and sagacious Quintus Silo, already mentioned, was here the soul of the movement. The Marsians were the first formally to declare against the Romans, whence the war retained afterwards the name of the Marsian war.

Central and Southern Italy.

The example thus given was followed by the Samnite communities, and generally by the mass of the communities from the Liris and the Abruzzi down to Calabria and Apulia; so that all Central and Southern Italy was soon in arms against Rome.

Italians friendly to Rome.

The Etruscans and Umbrians on the other hand held by Rome, as they had already taken part with the equites against Drusus (p. 235). It is a significant fact, that in these regions the landed and moneyed aristocracy had from

ancient times preponderated and the middle class had totally disappeared, whereas among and near the Abruzzi the farmer-class had preserved its purity and vigour better than anywhere else in Italy: it was from the farmers accordingly and the middle class in general that the revolt substantially proceeded, whereas the municipal aristocracy still went hand in hand with the government of the capital. This also readily explains the fact, that there were in the insurgent districts isolated communities, and in the insurgent communities minorities, adhering to the Roman alliance; the Vestinian town Pinna, for instance, sustained a severe siege for Rome, and a corps of loyalists that was formed in the Hirpinian country under Minatius Magius of Aeclanum supported the Roman operations in Campania. Lastly, there adhered to Rome the allied communities *optimi juris*—in Campania Nola and Nuceria and the Greek maritime towns Neapolis and Rhegium, and in like manner at least most of the Latin colonies, such as Alba and Aesernia—just as in the Hannibalic war the Latin and Greek towns on the whole had taken part with, and the Sabellian towns against, Rome. The forefathers of the city had based their government of Italy on an aristocratic classification, and with skilful adjustment of the degrees of dependence had kept in subjection the less privileged communities by means of those with better rights, and the burgesses within each community by means of the municipal aristocracy. It was only now, under the incomparably wretched government of the oligarchy, that the solidity and strength with which the statesmen of the fourth and fifth centuries had joined together the stones of their structure were thoroughly put to the test; the building, though shaken in various ways, still held out against this storm. When we say, however, that the more favoured towns did not at the first shock abandon Rome, we by no means affirm that they would now, as in the Hannibalic war, hold out for a length of time and after severe defeats, without wavering in their allegiance to Rome; that fiery trial had not yet been endured.

Impression as to the insurrection in Rome.

The first blood was thus shed, and Italy was divided into two great military camps. It is true, as we have seen, that the insurrection was still very far from being a general rising

of the Italian allies; but it had already acquired an extent exceeding perhaps the hopes of the leaders themselves, and the insurgents might without arrogance think of offering to the Roman government a fair accommodation. They sent envoys to Rome, and bound themselves to lay down their arms in return for admission to citizenship; it was in vain. The public spirit, which had been so long wanting in Rome, seemed suddenly to have returned, when the question was one of opposing with stubborn narrow-mindedness a demand of the subjects just in itself and now supported by a considerable force. The immediate effect of the Italian insurrection was, just as was the case after the defeats which the policy of the government had suffered in Africa and Gaul (p. 158, 194), the commencement of a series of prosecutions, by means of which the judicial aristocracy took vengeance on those men of the government whom they, rightly or wrongly, looked upon as the primary cause of this mischief. On the proposal of the tribune Quintus Varius, in spite of the resistance of the Optimates and in spite of tribunician interference, a special commission of high treason—formed, of course, from the equestrian order which contended for the proposal with open violence—was appointed for the investigation of the conspiracy instigated by Drusus and widely ramified in Italy as well as in Rome, out of which the insurrection had originated, and which now, when the half of Italy was under arms, appeared to the whole of the indignant and alarmed burgesses undoubted treason. The sentences of this commission greatly thinned the ranks of the senatorial party favourable to mediation: among other men of note Drusus' intimate friend, the young and talented Gaius Cotta, was sent into banishment, and with difficulty the grey-haired Marcus Scaurus escaped the same fate. Suspicion went so far against the senators favourable to the reforms of Drusus, that soon afterwards the consul Lupus reported from the camp to the senate regarding the communications that were constantly maintained between the Optimates in his camp and the enemy; a suspicion which, it is true, was soon shown to be unfounded by the arrest of Marsian spies. So far king Mithradates might not without reason assert, that

Rejection of the proposals for an accommodation.

Commission of high treason.

the mutual enmities of the factions were more destructive to the Roman state than the Social War itself.

Energetic decrees.

In the first instance, however, the outbreak of the insurrection, and the terrorism which the commission of high treason exercised, produced at least a semblance of unity and vigour. Party feuds were silent; able officers of all shades — democrats like Gaius Marius, aristocrats like Lucius Sulla, friends of Drusus like Publius Sulpicius Rufus—placed themselves at the disposal of the government. The largesses of corn were, apparently about this time, materially abridged by decree of the people with a view to husband the financial resources of the state for the war; which was the more necessary, as, owing to the threatening attitude of king Mithradates, the province of Asia might at any moment fall into the hand of the enemy and thus one of the chief sources of the Roman revenue be dried up. The courts, with the exception of the commission of high treason, in accordance with a decree of the senate temporarily suspended their action; all business stood still, and nothing was attended to but the levying of soldiers and the manufacture of arms.

Political organization of the insurrection.

While the leading state thus collected its energies in the prospect of the severe war impending, the insurgents had to solve the more difficult task of acquiring political organization during the struggle. In the territory of the Paeligni ans situated in the centre of the Marsian, Samnite, Marrucinian, and Vestinian cantons and consequently in the heart of the insurgent districts, in the beautiful plain on the river Pescara, the town of Corfinium was selected as the Opposition-Rome or city of Italia, whose citizenship was conferred on the burgesses of all the insurgent communities; there a Forum and a senate-house were staked off on a suitable scale. A senate of five hundred members was charged with the settlement of the constitution and the superintendence of the war. In accordance with its directions the burgesses selected from the men of senatorial rank two consuls and twelve praetors, who, just like the two consuls and six praetors of Rome, were invested with the supreme authority in war and peace. The Latin language, which was even then the prevailing language among the Marsians and Picentes, continued in official use, but the Samnite language

Opposition-Rome.

which predominated in Southern Italy was placed side by side with it on a footing of equality; and the two were made use of alternately on the silver pieces which the new Italian state began to coin in its own name after Roman models and after the Roman standard, thus practically abolishing the monopoly of coinage which Rome had exercised for two centuries. It is evident from these arrangements—and was, indeed, a matter of course—that the Italians now no longer thought of wresting equality of rights from the Romans, but purposed to annihilate or subdue them and to form a new state. But it is also obvious that their constitution was nothing but a pure copy of that of Rome or, in other words, was the ancient polity handed down by tradition among the Italian nations from time immemorial—the organization of a city instead of the constitution of a state—with collective assemblies as unwieldy and useless as the Roman comitia, with a governing corporation which contained within it the same elements of oligarchy as the Roman senate, with an executive administered in like manner by a plurality of coordinate supreme magistrates. This imitation descended to the minutest details; for instance, the title of consul or praetor held by the magistrate in chief command was after a victory exchanged by the general of the Italians also for the title of Imperator. Nothing in fact was changed but the name; on the coins of the insurgents the same image of the gods appears, the inscription only being changed from *Roma* to *Italia*. This Rome of the insurgents was distinguished—not to its advantage—from the original Rome merely by the circumstance, that, while the latter had at any rate an urban development and its unnatural position intermediate between a city and a state had formed itself at least in a natural way, the new Italia was nothing at all but a place of congress for the insurgents, and it was by a pure fiction of law that the inhabitants of the peninsula were stamped as burgesses of this new capital. But it is significant that in this case, where the sudden amalgamation of a number of isolated cantons into a new political unity might have so naturally suggested the idea of a representative constitution in the modern sense, no trace of any such idea occurs; in fact the very opposite course was fol-

lowed,* and the communal organization was simply reproduced in a far more absurd manner than before. Nowhere perhaps is it more clearly apparent than in this instance, that in the view of antiquity a free constitution was inseparable from the appearance of the sovereign people in person in their collective assemblies or from a civic type, and that the great fundamental idea of the modern republican-constitutional state, viz., the expression of the sovereignty of the people by a representative assembly—an idea without which a free state would be a chaos—is wholly modern. Even the Italian polity, although it approximated to a free state in its somewhat representative senates and in the diminished importance of the comitia, never was able in the case either of Rome or of Italia to cross the boundary-line.

Warlike preparations. 91–90.

Thus began, a few months after the death of Drusus, in the winter of 663–4, the struggle—as one of the coins of the insurgents represents it—of the Sabellian ox against the Roman she-wolf. Both sides made zealous preparations: in Italia great stores of arms, provisions, and money were accumulated; in Rome the requisite supplies were drawn from the provinces and particularly from Sicily, and the long-neglected walls were put in a state of defence against any contingency. The forces were in some measure equally balanced. The Romans filled up the blanks in their Italian contingents partly by increased levies from the burgesses and from the inhabitants—already almost wholly Romanized—of the Celtic districts on the south of the Alps, of whom 10,000 served in the Campanian army alone,† partly by the contingents of the Numidians and other transmarine nations; and with the aid of the free cities in Greece and Asia Minor

* Even from our scanty information, the best part of which is given by Diodorus, p. 538 and Strabo, v. 4, 2, this is very distinctly apparent; for example, the latter expressly says that the burgess-body chose the magistrates. That the senate of Italia was meant to be formed in another manner and to have different powers from that of Rome, has been asserted, but has not been proved. Of course in its first composition care would be taken to have a representation in some degree uniform of the insurgent cities; but that the senators were to be regularly deputed by the communities, is nowhere stated. As little does the commission given to the senate to draw up a constitution exclude its promulgation by the magistrates and ratification by the assembly of the people.

† The bullets found at Asculum show that the Gauls were very numerous also in the army of Strabo.

they collected a war fleet.* On both sides, without reckoning garrisons, as many as 100,000 soldiers were brought into the field,† and in the ability of their men, in military tactics and armament, the Italians were nowise inferior to the Romans.

Subdivision of the armies on either side.

The conduct of the war was very difficult both for the insurgents and for the Romans, because the territory in revolt was very extensive and a great number of fortresses adhering to Rome were scattered up and down in it: so that on the one hand the insurgents found themselves compelled to combine a siege-warfare which broke up their forces and consumed their time with the protection of an extended frontier; and on the other hand the Romans could not well do otherwise than combat the insurrection, which had no proper centre, simultaneously in all the insurgent districts. In a military point of view the insurgent country fell into two divisions; in the northern, which reached from Picenum and the Abruzzi to the northern border of Campania and embraced the districts speaking Latin, the chief command was held on the Italian side by the Marsian Quintus Silo, on the Roman side by Publius Rutilius Lupus, both as consuls; in the southern, which included Campania, Samnium, and generally the regions speaking Sabellian, the Samnite Gaius Papius Mutilus commanded as consul of the insurgents, and Lucius Julius Caesar as the Roman consul. With each of the two commanders-in-chief there were associated on the Italian side six, on the Roman side five, lieutenant-commanders, each of whom conducted the attack or defence in a definite district, while the consular armies were destined to act more freely and to strike the decisive blow. The most esteemed Roman officers, such as Gaius Marius, Quintus Catulus, and the two consulars of experience in the Spanish war, Titus Didius and Publius Crassus, placed themselves at

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78. * We still have a decree of the Roman senate of 22. May 676, which grants honours and advantages on their discharge to three Greek ship-captains of Carystus, Clazomenae, and Miletus for faithful services rendered since the commencement of the Italian war (664). Of the same nature is the account of Memnon, that two triremes were summoned from Heraclea on the Black Sea for the Italian war, and that they returned in the eleventh year with rich honorary gifts.

90. † That this statement of Appian is not exaggerated, is shown by the bullets found at Asculum, which name among others the twentieth legion.

the disposal of the consuls for these posts; and, though the Italians had not names so celebrated to oppose to them, yet the result showed that their leaders were in a military point of view nowise inferior to the Romans.

The offensive in this thoroughly desultory war was on the whole on the side of the Romans, but was nowhere decisively assumed even on their part. It is surprising that the Romans did not collect their troops for the purpose of attacking the insurgents with a superior force, and that the insurgents made no attempt to advance into Latium and to throw themselves on the hostile capital. We are however too little acquainted with their respective circumstances to judge whether or how they could have acted otherwise, or to what extent the remissness of the Roman government on the one hand and the looseness of the connection among the federate communities on the other contributed to this want of unity in the conduct of the war. It is easy to see that with such a system there would doubtless be victories and defeats, but the final settlement might be very long delayed; and it is no less plain that a clear and vivid picture of such a war—which resolved itself into a series of engagements on the part of individual corps operating at the same time, sometimes separately, sometimes in combination—cannot be prepared out of the remarkably fragmentary accounts which have reached us.

Commencement of the war.

The first assault, as a matter of course, fell on the fortresses adhering to Rome in the insurgent districts, which in all haste closed their gates and carried in their moveable property from the country. Silo threw himself on the fortress designed to hold in check the Marsians, the strong Alba, Mutilus on the Latin town of Aesernia established in the heart of Samnium: in both cases they encountered the most resolute resistance. Similar conflicts probably raged in the north around Firmum, Hatria, Pinna, in the south around Luceria, Beneventum, Nola, Paestum, before and while the Roman armies gathered on the borders of the insurgent country. After the southern army under Caesar had assembled in the spring of 664 in Campania which for the most part held by Rome, and had provided Capua—with its domain so important for the Roman finances—as well as the

The fortresses.

Caesar in Campania and [90. Samnium.

more important allied cities with garrisons, it attempted to assume the offensive and to come to the aid of the smaller divisions sent on before it to Samnium and Lucania under Marcus Marcellus and Publius Crassus. But Caesar was repulsed by the Samnites and Marsians under Publius Vettius Scato with severe loss, and the important town of Venafrum thereupon passed over to the insurgents, into whose hands it delivered its Roman garrison. By the defection of this town, which lay on the military road from Campania to Samnium, Aesernia was isolated, and that fortress already vigorously assailed found itself now exclusively dependent on the courage and perseverance of its garrison and its commandant Marcellus. It is true that an incursion, which Sulla happily carried out with the same artful audacity as his expedition to Bocchus, relieved the hard-pressed Aesernians for a moment; nevertheless they were after an obstinate resistance compelled by the extremity of famine to capitulate towards the end of the year. In Lucania too Publius Crassus was defeated by Marcus Lamponius, and compelled to shut himself up in Grumentum, which fell after a long and obstinate siege. With these exceptions, they had been obliged to leave Apulia and the southern districts totally to themselves. The insurrection spread; when Mutilus advanced into Campania at the head of the Samnite army, the citizens of Nola surrendered to him their city and delivered up the Roman garrison, whose commander was executed by the orders of Mutilus, while the men were distributed through the victorious army. With the single exception of Nuceria, which adhered firmly to Rome, all Campania as far as Vesuvius was lost to the Romans; Salernum, Stabiae, Pompeii, Herculaneum declared for the insurgents; Mutilus was able to advance into the region to the north of Vesuvius, and to besiege Acerrae with his Samnito-Lucanian army. The Numidians, who were in great numbers in Caesar's army, began to pass over in troops to Mutilus or rather to Oxyntas, the son of Jugurtha, who on the surrender of Venusia had fallen into the hands of the Samnites and now appeared among their ranks in regal purple; so that Caesar found himself compelled to send home the whole African corps. Mutilus ventured even to attack the Roman camp; but he

Aesernia taken by the insurgents,

as also Nola.

Campania for the most part lost to the Romans.

was repulsed, and the Samnites, who while retreating were assailed in the rear by the Roman cavalry, left nearly 6000 dead on the field of battle. It was the first notable success which the Romans gained in this war; the army proclaimed the general *imperator*, and the sadly fallen courage of the capital began to revive. It is true that not long afterwards the victorious army was attacked in crossing a river by Marius Egnatius, and so emphatically defeated that it had to retreat as far as Teanum and to be reorganized there; but the exertions of the active consul succeeded in restoring his army to a serviceable condition even before the arrival of winter, and he reoccupied his old position under the walls of Acerrae, which the Samnite main army under Mutilus continued to besiege.

Combats with the Marsians.

At the same time operations had also begun in Central Italy, where the revolt in the Abruzzi and the region of the Fucine lake threatened the capital in dangerous proximity. An independent corps under Gnaeus Pompeius Strabo was sent into Picenum in order that, resting for support on Firmum and Falerio, it might threaten Asculum; but the main body of the Roman northern army took its position under the consul Lupus on the borders of the Latin and Marsian territories, where the Valerian and Salarian highways brought the enemy nearest to the capital; the rivulet Tolenus (Turano), which crosses the Valerian road between Tibur and Alba and falls into the Velino at Rieti, separated the two armies. The consul Lupus impatiently pressed for a decision, and did not listen to the disagreeable advice of Marius that he should exercise his men—unaccustomed to service—in the first instance in petty warfare. At the very commencement the division of Gaius Perpenna, 10,000 strong, was totally defeated, whereupon the commander-in-chief deprived the defeated general of his command and united the remnant of the corps with that which was under the orders of Marius, but did not allow himself to be deterred from assuming the offensive and crossing the Tolenus in two divisions, led partly by himself, partly by Marius, on two bridges constructed not far from each other. Publius Scato with the Marsians confronted them; he had pitched his camp at the spot where Marius crossed the brook, but,

before the passage took place, he had withdrawn thence, leaving behind the mere posts that guarded the camp, and had taken a position in ambush farther up the river. There he attacked the other Roman corps under Lupus unexpectedly during the crossing, and partly cut it down, partly drove it into the river (11th June 664). The consul in person and 8000 of his troops fell. It could scarcely be called a compensation that Marius, becoming at length aware of Scato's departure, had crossed the river and not without loss to the enemy occupied their camp. Yet this passage of the river, and a victory at the same time obtained over the Paelignians by the general Servius Sulpicius, compelled the Marsians to draw their line of defence somewhat back, and Marius, who by decree of the senate succeeded Lupus as commander-in-chief, at least prevented the enemy from gaining further successes. But, when Quintus Caepio was soon afterwards associated in the command with equal powers, not so much on account of a conflict which he had successfully sustained, as because he had recommended himself to the equites then leading the politics of Rome by his vehement opposition to Drusus, he allowed himself to be lured into an ambush by Silo on the pretext that the latter wished to betray to him his army, and was cut to pieces with a great part of his force by the Marsians and Vestinians. Marius, after Caepio's fall once more sole commander-in-chief, through his obstinate resistance prevented his antagonist from profiting by the advantages which he had gained, and gradually penetrated far into the Marsian territory. He long refused battle; when he at length gave it, he vanquished his impetuous opponent, who left on the battle-field among other dead Herius Asinius the chieftain of the Marrucini. In a second engagement the army of Marius and the corps of Sulla which belonged to the army of the south co-operated to inflict on the Marsians a still more considerable defeat, which cost them 6000 men; but the glory of the day remained with the younger officer, for, while Marius had given and gained the battle, Sulla had intercepted the retreat of the fugitives and destroyed them.

90. Defeat and death of Lupus.

While the conflict was proceeding thus warmly and with varying success by the Fucine lake, the Picenian corps under

Picenian war.

Strabo had also fought with alternations of fortune. The insurgent chiefs, Gaius Iudacilius from Asculum, Publius Vettius Scato, and Titus Lafrenius, had assailed it with their united forces, defeated it, and compelled it to throw itself into Firmum, where Lafrenius kept Strabo besieged, while Iudacilius moved into Apulia and induced Canusium, Venusia, and the other towns still adhering to Rome in that quarter to join the insurgents. But on the Roman side Servius Sulpicius by his victory over the Paelignians cleared the way for his advancing into Picenum and rendering aid to Strabo; Lafrenius was attacked by Strabo in front and taken in rear by Sulpicius, and his camp was set on fire; he himself fell, the remnant of his troops fled in disorder and threw themselves into Asculum. So completely had the state of affairs changed in Picenum, that the Italians now found themselves confined to Asculum as the Romans were previously to Firmum, and the war was thus once more converted into a siege.

Umbro-Etruscan conflicts.

Lastly, there was added in the course of the year to the two difficult and straggling wars in southern and central Italy a third in the north. The state of matters apparently so dangerous for Rome after the first months of the war had induced a great portion of the Umbrian, and isolated Etruscan, communities to declare for the insurrection; so that it became necessary to despatch against the Umbrians Aulus Plotius, and against the Etruscans Lucius Porcius Cato. Here however the Romans encountered a far less energetic resistance than in the Marsian and Samnite countries, and maintained a most decided superiority in the field.

Disadvantageous aggregate result of the first year of the war.

Thus the severe first year of the war came to an end, leaving behind it, both in a military and political point of view, sorrowful memories and dubious prospects. In a military point of view both armies of the Romans, the Marsian as well as the Campanian, had been weakened and discouraged by severe defeats; the northern army had been compelled especially to attend to the protection of the capital, the southern army at Neapolis had been seriously threatened in its communications, as the insurgents could without much difficulty break forth from the Marsian or Samnite territory and establish themselves between Rome and Naples; for

which reason it was found necessary to draw at least a chain of posts from Cumae to Rome. In a political point of view, the insurrection had gained ground on all sides during this first year of the war; the secession of Nola, the rapid capitulation of the strong and large Latin colony of Venusia, and the Umbro-Etruscan revolt were suspicious signs that the Roman symmachy was tottering to its very base and was not in a position to hold out against this last trial. They had already made the utmost demands on the burgesses; they had already, with a view to form that chain of posts along the Latino-Campanian coast, incorporated nearly 6000 freedmen in the burgess-militia; they had already required the severest sacrifices from the allies that still remained faithful; it was not possible to draw the string of the bow tighter without hazarding everything.

Despondency of the Romans.

The temper of the burgesses was singularly depressed. After the battle on the Tolenus, when the dead bodies of the consul and the numerous citizens of note who had fallen with him were brought back from the neighbouring battlefield to the capital and were buried there; when the magistrates in token of public mourning laid aside their purple and insignia; when the government issued orders to the inhabitants of the capital to arm *en masse*; not a few had resigned themselves to despair and given up all as lost. It is true that the worst despondency had somewhat abated after the victories achieved by Caesar at Acerrae and by Strabo in Picenum: on the news of the former the war-dress in the capital had been once more exchanged for the dress of the citizen, on the news of the second the signs of public mourning had been laid aside; but it was not doubtful that on the whole the Romans had been worsted in this passage of arms: and above all the senate and the burgesses had lost the spirit, which had formerly borne them to victory through the crises of the Hannibalic war. They still doubtless began war with the same haughty arrogance as then, but they knew not how to end it as they had then done; rigid obstinacy, tenacious persistence had given place to a remiss and cowardly disposition. Already after the first year of war their outward and inward policy became suddenly changed, and betook itself to compromise. There is no doubt

that in this they did the wisest thing which could be done; not however because, compelled by the immediate force of arms, they could not avoid acquiescing in disadvantageous conditions, but because the subject-matter of dispute—the perpetuation of the political precedence of the Romans over the other Italians—was injurious rather than beneficial to the commonwealth itself. It sometimes happens in public life that one error compensates another; in this case cowardice in some measure remedied the mischief which obstinacy had incurred.

90.

Revolution in political processes.

The year 664 had begun with a most abrupt rejection of the compromise offered by the insurgents and with the opening of a war of prosecutions, in which the most passionate defenders of patriotic selfishness, the capitalists, took vengeance on all those who were suspected of having counselled moderation and seasonable concession. On the other hand the tribune Marcus Plautius Silvanus, who entered on his office on the 10th of December of the same year, carried a law which took the commission of high treason out of the hands of the capitalist jurymen, and entrusted it to others who were nominated by the free choice of the tribes without class-qualification; the effect of which was, that that commission was converted from a scourge of the moderate party into a scourge of the ultras, and sent into exile among others its own author, Quintus Varius, who was blamed by the public voice for the worst democratic outrages—the poisoning of Quintus Metellus and the murder of Drusus.

Bestowal of the franchise on the Italians who remained faithful or submitted.

Of greater importance than this singularly candid political recantation, was the change in the course of their policy toward the Italians. Exactly three hundred years had passed since Rome had last been obliged to submit to the dictation of peace; Rome was now worsted once more, and the peace which she desired could only be got by yielding in part at least to the terms of her antagonists. With the communities, doubtless, which had already risen in arms to subdue and to destroy Rome, the feud had become too bitter for the Romans to prevail on themselves to make the required concessions; and, had they done so, these terms would now perhaps have been rejected by the other side. But, if the original demands were conceded under certain

limitations to the communities that had hitherto remained faithful, such a course would on the one hand preserve the semblance of voluntary concession, while on the other hand it would prevent the otherwise inevitable consolidation of the confederacy and thereby pave the way for its subjugation. Accordingly the gates of Roman citizenship, which had so long remained closed against entreaty, now suddenly opened when the sword knocked at them; yet even now not fully and wholly, but in a manner reluctant and annoying even for those admitted. A law carried by the consul Lucius Caesar* conferred the Roman franchise on the burgesses of all those communities of Italian allies which had not up to that time openly declared against Rome; a second, emanating from the tribunes of the people Marcus Plautius Silvanus and Gaius Papirius Carbo, laid down for every man who had citizenship and domicile in Italy a term of two months, within which he was to be allowed to acquire the Roman franchise by presenting himself before a Roman magistrate. But these new burgesses were to be restricted in a way similar to the freedmen, inasmuch as they could only be enrolled in eight, as the freedmen only in four, of the thirty-five tribes; whether the restriction was personal or, as it would rather seem, hereditary, cannot be determined with certainty.

Bestowal of Latin rights on the Italian Celts.

This measure related primarily to Italy proper, which at that time extended northward little beyond Ancona and Florence. In Cisalpine Gaul, which was in the eye of the law a foreign country, but in administration and colonization had long passed as part of Italy, all the Latin colonies were treated like the Italian communities. Of the other hitherto allied townships in that quarter those—not very numerous—situated on the south side of the Po received the franchise; but the country between the Po and the Alps was in consequence of a law brought in by the consul Strabo in 665 differently treated. It was organized after the Italian civic constitution, so that the communities not adapted for this, more especially the townships in the Alpine valleys, were

89.

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90. * The Julian law must have been passed in the last months of 664, for during the good season of the year Caesar was in the field; the Plautian was probably passed, as was ordinarily the rule with tribunician proposals, immediately after the tribunes entered on office, consequently in Dec. 664 or Jan. 665.

assigned to particular towns as dependent and tributary villages. These new town-communities, however, were not presented with the Roman franchise, but, by means of the legal fiction that they were Latin colonies, were invested with those rights which had hitherto belonged to the Latin towns of inferior privileges. Thus Italy at that time ended practically at the Po, while the Transpadane country was treated as an outlying dependency; undoubtedly because the region between the Apennines and the Po had long been organized after the Italian model, whereas in the more northerly portion—in which, excepting Eporedia and Aquileia, there were no civic or Latin colonies, and from which in fact the native tribes had been by no means dislodged as they were from the southern district—Celtic habits and the Celtic cantonal constitution still in great part subsisted.

Considerable as these concessions were, if we compare them with the rigid exclusiveness which the Roman burgess-body had retained for more than a hundred and fifty years, they were far from including a capitulation with the actual insurgents; they were on the contrary intended partly to retain the communities that were wavering and threatening to revolt, partly to draw over as many deserters as possible from the ranks of the enemy. To what extent these laws and especially the most important of them—that of Caesar—were applied, cannot be accurately stated, as we are only able to specify in general terms the extent of the insurrection at the time when the law was issued. The chief result at any rate was that the communities hitherto Latin—not only the survivors of the old Latin confederacy, such as Tibur and Praeneste, but more especially the Latin colonies, with the exception of the few that passed over to the insurgents—were thereby admitted to Roman citizenship. Besides, the law was applied to the isolated towns of the allies between the Po and the Apennines, such as Ravenna, to a number of Etruscan towns, and to the allied cities that remained faithful in Southern Italy, such as Nuceria and Neapolis. It was natural that individual communities, hitherto specially privileged, should hesitate as to the acceptance of the franchise; that Neapolis, for example, should scruple to give up its former treaty with Rome — which guaranteed to its

citizens exemption from land-service and their Greek constitution, and perhaps domanial advantages besides—for the very restricted privileges of new burgesses. It was probably in virtue of conventions concluded on account of these scruples that this city, as well as Rhegium and perhaps other Greek communities in Italy, even after their admission to Roman citizenship retained unchanged their former communal constitution and Greek as their official language. At all events, as a consequence of these laws, the circle of Roman burgesses was extraordinarily enlarged by the merging into it of numerous and important civic communities scattered from the Sicilian Straits to the Po; and, further, the country between the Po and the Alps was, by the bestowal of the privileges of the most favoured allies, as it were invested with the legal reversion of full citizenship.

Second year of the war.

On the strength of these concessions to the wavering communities, the Romans resumed with fresh courage the conflict against the insurgent districts. They had pulled down as much of the existing political institutions as seemed necessary to arrest the progress of the conflagration; the insurrection thenceforth at any rate spread no farther. In Etruria and Umbria especially, where it was just beginning, it was subdued with singular rapidity, still more, probably, by means of the Julian law than through the success of the Roman arms. In the former Latin colonies, and in the thickly-peopled region of the Po, there were opened up copious and now reliable sources of aid: with these, and with the resources of the burgesses themselves, they could proceed to subdue the now isolated conflagration. The two former commanders-in-chief returned to Rome, Caesar as censor elect, Marius because his conduct of the war was blamed as vacillating and slow, and the man of sixty-six was declared to be in his dotage. This objection was very probably groundless; Marius showed at least his bodily vigour by appearing daily in the circus at Rome, and even as commander-in-chief he seems to have displayed on the whole his old ability in the last campaign; but he had not achieved the brilliant successes by which alone after his political bankruptcy he could rehabilitate himself in public opinion, and so the celebrated champion was to his bitter vexation

Etruria and Umbria tranquillized.

now, even as an officer, unceremoniously laid aside as useless. The place of Marius in the Marsian army was taken by the consul of this year, Lucius Porcius Cato, who had fought with distinction in Etruria, and that of Caesar in the Campanian army by his lieutenant, Lucius Sulla, to whom were due some of the most material successes of the previous campaign; Gnaeus Strabo retained—now as consul—the command which he had held so successfully in the Picenian territory.

89. War in Picenum.

Thus began the second campaign in 665. The insurgents opened it, even before winter was over, by the bold attempt—recalling the grand passages of the Samnite wars—to send a Marsian army of 15,000 men to Etruria with a view to aid the insurrection brewing in Northern Italy. But Strabo, through whose district it had to pass, intercepted and totally defeated it; only a few got back to their far distant home. When at length the season allowed the Roman armies to assume the offensive, Cato entered the Marsian territory and advanced, successfully encountering the enemy there; but he fell in the region of the Fucine lake during an attack on the enemy's camp, so that the exclusive superintendence of the operations in Central Italy devolved on Strabo. The latter employed himself partly in continuing the siege of Asculum, partly in the subjugation of the Marsian, Sabellian, and Apulian districts. To relieve his hard-pressed native town, Iudacilius appeared before Asculum with the Picentine levy and attacked the besieging army, while at the same time the garrison sallied forth and threw itself on the Roman lines. It is said that 75,000 Romans fought on this day against 60,000 Italians. Victory remained with the Romans, but Iudacilius succeeded in throwing himself with a part of the relieving army into the town. The siege resumed its course; it was protracted * by the strength of the place and the desperate defence of the inhabitants, who fought with a recollection of the terrible declaration of war within its walls. When Iudacilius at length after a brave defence of

Asculum besieged,

* Leaden bullets with the name of the legion which threw them, and sometimes with curses against the "runaway slaves"—and accordingly Roman—or with the inscription "hit the Picentes" or "hit Pompeius"—the former Roman, the latter Italian—are even now sometimes found, belonging to that period, in the region of Ascoli.

several months saw the day of capitulation approach, he ordered the chiefs of that section of the citizens which was favourable to Rome to be put to death under torture, and then died by his own hand. So the gates were opened, and Roman executions were substituted for Italian; all officers and all the respectable citizens were executed, the rest were driven forth to beggary, and all their property was confiscated on account of the state. During the siege and after the fall of Asculum numerous Roman corps marched through the adjacent rebel districts, and induced one after another to submit. The Marrucini yielded, after Lucius Sulpicius had defeated them decidedly at Teate (Chieti). The praetor Gaius Cosconius penetrated into Apulia, took Salapia and Cannae, and besieged Canusium. A Samnite corps under Marius Egnatius came to the help of the unwarlike region and actually drove back the Romans, but the Roman general succeeded in defeating it at the passage of the Aufidus; Egnatius fell, and the rest of the army had to seek shelter behind the walls of Canusium. The Romans again advanced as far as Venusia and Rubi, and became masters of all Apulia. Along the Fucine lake also and at the Majella mountains—the chief seats of the insurrection—the Romans restored their ascendancy; the Marsians succumbed to Strabo's lieutenants, Quintus Metellus Pius and Gaius Cinna, the Vestinians and Paelignians in the following year (666) to Strabo himself; Italia the capital of the insurgents became once more the modest Paelignian country-town of Corfinium; the remnant of the Italian senate fled to the Samnite territory.

and conquered.

Subjugation of the Sabellians and Marsians.

88.

The Roman southern army, which was now under the command of Lucius Sulla, had at the same time assumed the offensive and had penetrated into southern Campania which was occupied by the enemy. Stabiae was taken and destroyed by Sulla in person (30 April 665) and Herculaneum by Titus Didius, who however fell himself (11 June) apparently at the assault on that city. Pompeii resisted longer. The Samnite general Lucius Cluentius came up to bring relief to the town, but he was repulsed by Sulla; and when, reinforced by bands of Celts, he renewed his attempt, he was, chiefly owing to the wavering of these untrustworthy associates, so totally defeated that his camp was

Subjugation of Campania as far as Nola.

89.

taken and he himself was cut down with the greater part of his troops in their flight towards Nola. The grateful Roman army conferred on its general the grass-wreath—the homely badge with which the usage of the camp decorated the soldier who had by his energy saved a division of his comrades. Without pausing to undertake the siege of Nola and of the other Campanian towns still occupied by the Samnites, Sulla at once advanced into the interior, which was the head-quarters of the insurrection. The speedy capture and fearful punishment of Aeclanum spread terror throughout the Hirpinian country; it submitted even before the arrival of the Lucanian contingent which had set itself in motion to render help, and Sulla was able to advance unhindered as far as the territory of the Samnite confederacy. The pass, where the Samnite militia under Mutilus awaited him, was turned, the Samnite army was attacked in rear, and defeated; the camp was lost, the general escaped wounded to Aesernia. Sulla advanced to Bovianum, the capital of the Samnite country, and compelled it to surrender by a second victory obtained beneath its walls. The advanced season alone put an end to the campaign there.

Sulla in Samnium.

The position of affairs had undergone a most complete change. Powerful, victorious, aggressive as was the insurrection when it began the campaign of 665, it emerged from it deeply humbled, everywhere beaten, and totally hopeless. All northern Italy was pacified. In central Italy both coasts were wholly in the Roman power, and the Abruzzi almost entirely; Apulia as far as Venusia, and Campania as far as Nola, were in the hands of the Romans; and by the occupation of the Hirpinian territory the communication was broken off between the only two regions still persevering in open resistance, the Samnite and the Lucano-Bruttian. The field of the insurrection resembled the scene of an immense conflagration dying out; everywhere the eye fell on ashes and ruins and smouldering brands; here and there the flame still blazed up among the ruins, but the fire was everywhere mastered, and there was no further threatening of danger. It is to be regretted that we no longer sufficiently discern in the superficial accounts handed down to us the causes of this sudden revolution. While undoubtedly

The insurrection on the whole [89. overpowered.

the dexterous leadership of Strabo and still more of Sulla, the more energetic concentration of the Roman forces, and their quicker offensive action contributed materially to that result, political causes were probably at work along with the military in producing the singularly rapid fall of the power of the insurgents; the law of Silvanus and Carbo probably fulfilled its design in carrying defection and treason to the common cause into the ranks of the enemy, and misfortune, as has so frequently happened, probably fell as an apple of discord among the loosely connected insurgent communities.

Perseverance of the Samnites.

We see only—and this fact points to an internal breaking up of Italia, that must certainly have been attended by violent convulsions—that the Samnites, perhaps under the leadership of the Marsian Quintus Silo who had been from the first the soul of the insurrection and after the capitulation of the Marsians had gone as a fugitive to the neighbouring people, now assumed another organization purely confined to their own land, and, after "Italia" was vanquished, undertook to continue the struggle as "Safini" or Samnites.* The strong Aesernia was converted from the fortress that had curbed, into the last retreat that sheltered, Samnite freedom; an army assembled consisting, it was said, of 30,000 infantry and 1000 cavalry, and was strengthened by the manumission and incorporation of 20,000 slaves; five generals were placed at its head, among whom Silo was the first and Mutilus next to him. With astonishment men saw the Samnite wars beginning anew after a pause of two hundred years, and the resolute nation of farmers making a fresh attempt, just as in the fifth century, after the Italian confederation was shattered, to force Rome with their own hand to recognize their country's independence. But this resolution of the bravest despair made not much change in the main result; although the mountain-war in Samnium and Lucania might still require some time and some sacrifices, the insurrection was nevertheless already substantially at an end.

Outbreak

In the meanwhile, certainly, there had occurred a fresh

* The rare *denarii* with *Safinim* and *G. Mutil* in Oscan characters must belong to this period; for, as long as the designation *Italia* was retained by the insurgents, no single canton could, as a sovereign power, coin money with its own name.

complication, for the Asiatic difficulties had rendered it imperatively necessary to declare war against Mithradates king of Pontus, and for next year (666) to assign one consul and a consular army to Asia Minor. Had this war broken out a year earlier, the contemporary revolt of the half of Italy and of the most important of the provinces would have occasioned immense peril to the Roman state. Now that the marvellous good fortune of Rome had once more been evinced in the rapid collapse of the Italian insurrection, this Asiatic war just beginning was, notwithstanding its being mixed up with the expiring Italian struggle, not of a really dangerous character; and the less so, because Mithradates in his arrogance refused the invitation of the Italians that he should afford them direct assistance. Still it was in a high degree inconvenient. The times had gone by, when they without hesitation carried on simultaneously an Italian and a transmarine war; the state-chest was already after two years of warfare utterly exhausted, and the formation of a new army in addition to that already in the field seemed scarcely practicable. But they resorted to such expedients as they could. The sale of the sites that had from ancient times (i. 121) remained unoccupied on and near the citadel to persons desirous of building, which yielded 9000 pounds of gold (£360,000), furnished the requisite pecuniary means. No new army was formed, but that which was under Sulla in Campania was destined to embark for Asia, as soon as the state of things in southern Italy should allow its departure; which might be expected, from the progress of the army operating in the north under Strabo, to happen soon.

of the Mithradatic war. 88.

So the third campaign in 666 began amidst favourable prospects for Rome. Strabo put down the last resistance which was still offered in the Abruzzi. In Apulia Cosconius' successor, Quintus Metellus Pius, son of the conqueror of Numidia and not unlike his father in his strongly conservative views as well as in military endowments, put an end to the resistance by the capture of Venusia, at which 3000 armed men were taken prisoners. In Samnium Silo no doubt succeeded in retaking Bovianum: but in a battle, in which he engaged the Roman general Mamercus Aemilius, the Romans conquered, and—what was more important than

88. Third campaign.

Capture of Venusia.

Fall of Silo.

the victory itself—Silo was among the 6000 dead whom the Samnites left on the field. In Campania the smaller places, which the Samnites still occupied, were wrested from them by Sulla, and Nola was invested. The Roman general Aulus Gabinius penetrated also into Lucania and gained no small advantages; but, after he had fallen in an attack on the enemy's camp, Lamponius the insurgent leader and his followers once more held almost undisturbed command over the wide and desolate Lucano-Bruttian country and even made an attempt to seize Rhegium, which was frustrated, however, by the Sicilian governor Gaius Norbanus. Notwithstanding isolated mischances the Romans were constantly drawing nearer to the attainment of their end; the fall of Nola, the submission of Samnium, the possibility of rendering considerable forces available for Asia appeared no longer distant, when the turn taken by affairs in the capital unexpectedly gave fresh life to the well-nigh extinguished insurrection.

Ferment in Rome.

Rome was in a fearful ferment. The attack of Drusus upon the equestrian courts and his sudden downfall brought about by the equestrian party, followed by the two-edged Varian warfare of prosecutions, had sown the bitterest discord between the aristocracy and the *bourgeoisie* as well as between the moderates and the ultras. Events had completely justified the party of concession; what they had proposed voluntarily to bestow, Rome had been more than half compelled to concede; but the mode in which the concession was made bore, just like the earlier refusal, the stamp of obstinate and shortsighted envy. Instead of granting equality of rights to all Italian communities, they had only expressed the inferiority in another form. They had received a great number of Italian communities into Roman citizenship, but had attached to what they thus conferred an injurious stigma, by placing the new burgesses alongside of the old on nearly the same footing as the freedmen occupied alongside of the freeborn. They had irritated rather than pacified the communities between the Po and the Alps by the concession of Latin rights. Lastly, they had withheld the franchise from a considerable, and that not the worst, portion of the Italians—the whole of the insurgent commu-

The bestowal of the franchise and its limitations.

nities which had again submitted; and not only so, but, instead of restoring in a legal shape the former treaties annulled by the insurrection, they had at the utmost renewed them as a matter of favour and rendered them revocable at pleasure.* The disability as regarded the right of voting gave the deeper offence, that it was—as the comitia were then constituted—politically absurd and the hypocritical care of the government for the unstained purity of the electors appeared to every unprejudiced person ridiculous; but all these restrictions were dangerous, inasmuch as they invited every demagogue to carry his ulterior objects by taking up the more or less just demands of the new burgesses and of the Italians excluded from the franchise. While accordingly the more clear-seeing of the aristocracy could not but find

Secondary effect of the political prosecutions.

* Licinianus (p. 15) under the year 667 says: *dediticiis omnibus [ci]vita[s] data; qui polliciti mult[a] milia militum vix XV . . . cohortes miserunt;* a statement in which Livy's account (*Epit.* 80): *Italicis populis a senatu civitas data est* reappears in a somewhat more precise shape. The *dediticii* were according to Roman state-law those *peregrini liberi* (Gaius i. 13–15, 25, Ulp. xx. 14, xxii. 2), who had become subject to the Romans and had not been admitted to alliance. They might retain life, liberty, and property, and might be formed into communities with a constitution of their own; the freedmen who were by legal fiction placed on the same footing with the *dediticii* (*ii qui dediticiorum numero sunt*, only by erroneous usage and rarely by the better authors called directly *dediticii;* Gai. i. 12, Ulp. i. 14, Paul. iv. 12, 6) as well as the kindred *liberti Latini Iuniani*, were probably ἀπόλιδες, *nullius certae civitatis cives* (Ulp. xx. 14; comp. Dig. xlviii. 19, 17, 1); but neither the Latins nor the *dediticii* themselves were necessarily ἀπόλιδες. The latter nevertheless were destitute of rights as respected the Roman state, in so far as by Roman state-law every *deditio* was necessarily unconditional (Polyb. xxi. 1; comp. xx. 9, 10, xxxvi. 2) and all the privileges expressly or tacitly conceded to them were conceded only *precario* and therefore revocable at pleasure (Appian, *Hisp.* 44); so that the Roman state, whatever it might immediately or afterwards decree regarding its *dediticii*, could never perpetrate as respected them a violation of rights. This destitution of rights only ceased on the conclusion of a treaty of alliance (Liv. xxxiv. 57). Accordingly *deditio* and *foedus* appear in constitutional law as contrasted terms excluding each other (Liv. iv. 30, xxviii. 34; Cod. Theod. vii. 13, 16 and Gothofr. thereon), and of precisely the same nature is the distinction current among the jurists between the *quasidediticii* and the *quasi Latini*, for the Latins are just the *foederati* eminently so called (Cic. *pro Balb.* 24, 54).

According to the older constitutional law there were, with the exception of the not numerous communities that were declared to have forfeited their treaties in consequence of the Hannibalic war (ii. 351), no Italian *dediticii;* in the Plautian law of 664–5 the description: *qui foederatis civitatibus adscripti fuerunt* (Cic. *pro Arch.* 4, 7) still included in substance all Italians. But as the *dediticii* who received the franchise supplementarily in 667 cannot reasonably be understood as embracing merely the Bruttii and Picentes, we may assume that all the insurgents, so far as they had laid down their arms and had not acquired the franchise under the Plautio-Papirian law, were treated as *dediticii*, or—which is the same thing—that their treaties cancelled as a matter of course by the insurrection (hence *qui foederati fuerunt* in the passage of Cicero cited) were not legally renewed to them on their surrender.

90–89.

87.

these partial and grudging concessions as inadequate as did the new burgesses and the excluded themselves, they further painfully felt the absence from their ranks of the numerous and excellent men whom the Varian commission of high-treason had exiled, and whom it was the more difficult to recall because they had been condemned by the verdict not of the people but of the jury-courts; for, while there was little hesitation as to cancelling a decree of the people even of a judicial character by means of a second, the cancelling of a verdict of jurymen by the people appeared to the better portion of the aristocracy as a very dangerous precedent. Thus neither the ultras nor the moderates were content with the issue of the Italian crisis. But still deeper indignation swelled the heart of the old man, who had gone forth to the Italian war with revived hopes and had come back from it reluctantly, with the consciousness of having rendered new services and of having received in return new and most severe mortifications, with the bitter feeling of being no longer dreaded but despised by his enemies, with that gnawing spirit of vengeance in his heart, which feeds on its own poison. It was true of him also, as of the new burgesses and the excluded; incapable and awkward as he had shown himself to be, his popular name was still a formidable weapon in the hand of a demagogue.

Marius.

Decay of military discipline.

With these elements of political convulsion was combined the rapidly spreading decay of the honourable soldierly spirit and of military discipline. The seeds, which were sown by the enrolment of the proletariate in the army, developed themselves with alarming rapidity during the demoralizing insurrectionary war, which compelled Rome to admit to the service every man capable of bearing arms without distinction, and which above all carried political partizanship directly into the headquarters and into the soldiers' tent. The effects soon appeared in the slackening of all the bonds of the military hierarchy. During the siege of Pompeii the commander of the Sullan besieging corps, the consular Aulus Postumius Albinus, was put to death with stones and bludgeons by his soldiers, who believed themselves betrayed by their general to the enemy; and Sulla the commander-in-chief contented himself with exhorting the troops to

efface the memory of that occurrence by their brave conduct in presence of the enemy. The authors of that deed were the marines, from of old the least respectable of the troops. A division of legionaries raised chiefly from the city populace soon followed the example thus given. Instigated by Gaius Titius, one of the heroes of the market-place, it laid hands on the consul Cato. By an accident he escaped death on this occasion; Titius was arrested, but was not punished. When Cato soon afterwards actually perished in a combat, his own officers, and particularly the younger Gaius Marius, were—whether justly or unjustly cannot be ascertained—designated as the authors of his death.

Economic crisis.

To the political and military crisis thus beginning fell to be added the economic crisis—perhaps still more terrible—which set in upon the Roman capitalists in consequence of the Social war and the Asiatic troubles. The debtors, unable even to raise the interest due and yet inexorably pressed by their creditors, had on the one hand entreated from the proper judicial authority, the urban praetor Asellio, a respite to enable them to dispose of their possessions, and on the other hand had searched out once more the old obsolete laws as to usury (i. 333) and, in accordance with the rule established in olden times, had sued their creditors for fourfold the amount of the interest paid to them contrary to the law. Asellio lent himself to bend the *de facto* existing law to the letter, and sanctioned in the usual way the desired actions for interest; whereupon the offended creditors assembled in the Forum under the leadership of the tribune of the people Lucius Cassius, and attacked and killed the praetor in front of the temple of Concord, just as in his priestly robes he was presenting a sacrifice—an outrage which was not even made a subject of investigation (665). On the other hand it was said in the circles of the debtors, that the suffering multitude could not be relieved otherwise than by "new account-books," that is, by legally cancelling the claims of all creditors against all debtors. Matters stood again exactly as they had stood during the strife of the orders; once more the capitalists in league with the prejudiced aristocracy made war against, and prosecuted, the oppressed multitude

Murder of Asellio.

89.

and the middle party which advised a modification of the rigid letter of the law; once more Rome stood on the verge of that abyss into which the despairing debtor drags his creditor along with him. But since that time the simple civil and moral organization of a great agricultural city had been succeeded by the social antagonisms of a capital of many nations, and by that demoralization in which the prince and the beggar meet; now everything had come to be on a broader, more abrupt, and fearfully grander scale. When the Social war brought all the political and social elements fermenting among the citizens into collision with each other, it laid the foundation for a new revolution. An accident led to its outbreak.

The Sulpician laws. 88.

It was the tribune of the people Publius Sulpicius Rufus who in 666 proposed to the burgesses to declare that every senator, who owed more than 2000 *denarii* (£82), should forfeit his seat in the senate; to grant to the burgesses condemned by non-free jury courts liberty to return home; to distribute the new burgesses among all the tribes, and likewise to allow the right of voting in all tribes to the freedmen. They were proposals which from the mouth of such a man were at least somewhat surprising. Publius Sulpicius Rufus (born in 630) owed his political importance not so much to his noble birth, his important connections, and his hereditary wealth, as to his remarkable oratorical talent, in which none of his contemporaries equalled him. His powerful voice, his lively gestures sometimes bordering on theatrical display, the luxuriant copiousness of his flow of words arrested, even if they did not convince, his hearers. As a partisan he was from the outset on the side of the senate, and his first public appearance (659) had been the impeachment of Norbanus who was mortally hated by the government party (p. 227). Among the conservatives he belonged to the section of Crassus and Drusus. We do not know what primarily gave occasion to his soliciting the tribuneship of the people for 666, and on its account renouncing his patrician nobility; but he seems to have been by no means rendered a revolutionist through the fact that he, like the whole middle party, had been persecuted as revolutionary by the conservatives, and to have by no means

Sulpicius Rufus. 124.

95.

88.

intended an overthrow of the constitution in the sense of Gaius Gracchus. It would rather seem that, as the only man of note belonging to the party of Crassus and Drusus who had come forth uninjured from the storm of the Varian prosecutions, he felt himself called on to complete the work of Drusus and finally to abolish the still subsisting disabilities of the new burgesses—for which purpose he needed the tribunate. Several acts of his even during his tribuneship are mentioned, which betray the very opposite of demagogic designs. For instance, he prevented by his veto one of his colleagues from cancelling through a decree of the people the sentences of jurymen issued under the Varian law; and when the late aedile Gaius Caesar unconstitutionally became a candidate for the consulship, passing over the praetorship with the design, it was alleged, of getting the charge of the Asiatic war afterwards entrusted to him, Sulpicius opposed him more resolutely and sharply than any one else. Entirely in the spirit of Drusus, he thus demanded from himself and from others primarily and especially the maintenance of the constitution. But in fact he was as little able as was Drusus to reconcile things that were incompatible, and to carry out in strict form of law the change of the constitution which he had in view—a change judicious in itself, but never to be obtained from the great majority of the old burgesses by amicable means. His breach with the powerful family of the Julii—among whom the consular Lucius Caesar, the brother of Gaius, in particular was very influential in the senate—and with the section of the aristocracy adhering to it, beyond doubt materially co-operated and carried the irascible man through personal exasperation beyond his original design.

Tendency of these laws.

Yet the proposals brought in by him were of such a nature as to be by no means out of keeping with the personal character and the previous party-position of their author. The equalization of the new burgesses with the old was simply a partial resumption of the proposals drawn up by Drusus in favour of the Italians and, like these, only carried out the requirements of a sound policy. The recall of those condemned by the Varian jurymen no doubt sacrificed the principle of the inviolability of such decisions which Sulpicius

himself had just practically defended; but it mainly benefited in the first instance the members of the proposer's own party, the moderate conservatives, and it may be very well conceived that so impetuous a man might when first coming forward decidedly combat such a measure and then, indignant at the resistance which he encountered, propose it himself. The measure against the insolvency of senators was doubtless called forth by the exposure of the economic condition of the ruling families—so deeply embarrassed notwithstanding all their outward splendour—on occasion of the last financial crisis. It was painful doubtless, but yet in itself conducive to the rightly understood interest of the aristocracy, that, as was necessarily the effect of the Sulpician proposal, all persons should withdraw from the senate who were unable speedily to meet their liabilities, and that the coterie-system, which found one of its main supports in the insolvency of many senators and their consequent dependence on their wealthy colleagues, should be checked by the removal of the notoriously venal portion of the senators. At the same time, of course, we do not mean to deny that such a purification of the senate-house so abruptly and invidiously exposing the senate, as Rufus proposed, would certainly never have been proposed without his personal quarrels with the heads of the ruling coteries. Lastly, the regulation in favour of the freedmen had undoubtedly the primary object of making its proposer master of the street; but in itself it was neither unwarranted nor incompatible with the aristocratic constitution. Since the freedmen had begun to be drawn upon for military service, their demand for the right of voting was so far justified, as the right of voting and the obligation of service had always gone hand in hand. Moreover, looking to the nullity of the comitia, it was politically of very little moment whether one sewer more emptied itself into that slough. The difficulty which the oligarchy felt in governing with the comitia was lessened rather than increased by the unlimited admission of the freedmen, who were to a very great extent personally and financially dependent on the ruling families and, if rightly used, might just furnish the government with a means of controlling the elections more thoroughly than before. This measure certainly, like

every other political favour shown to the proletariate, ran counter to the tendencies of the aristocracy friendly to reform; but it was for Rufus hardly anything else than what the corn-law had been for Drusus—a means of drawing the proletariate over to his side and of breaking down with its aid the opposition against the truly beneficial reforms which he meditated. It was easy to foresee that this opposition would not be slight; that the narrow-minded aristocracy and the narrow-minded *bourgeoisie* would display the same stupid jealousy after the subduing of the insurrection as they had displayed before its outbreak; that the great majority of all parties would secretly or even openly characterize the partial concessions made at the moment of the most formidable danger as unseasonable compliances, and would passionately resist every attempt to extend them. The example of Drusus had shown what came of undertaking to carry conservative reforms solely in reliance on a senatorial majority; it was a course quite intelligible, that his friend who shared his views should attempt to carry out kindred designs in opposition to that majority and under the forms of demagogism. Rufus accordingly gave himself no trouble to gain the senate over to his views by the bait of the jury courts. He found a better support in the freedmen and above all in the armed retinue—consisting, according to the report of his opponents, of 3000 hired men and an "opposition-senate" of 600 young men from the better class—with which he appeared in the streets and in the Forum.

Resistance of the government.

His proposals accordingly met with the most decided resistance from the majority of the senate, which first, to gain time, induced the consuls Lucius Cornelius Sulla and Quintus Pompeius Rufus, both declared opponents of demagogism, to enjoin extraordinary religious observances, during which the popular assemblies were suspended. Sulpicius replied by a violent tumult, in which among other victims the young Quintus Pompeius, son of the one and son-in-law of the other consul, met his death and the lives of both consuls themselves were seriously threatened—Sulla is said even to have escaped only by Marius opening to him his house. They were obliged to yield; Sulla agreed to countermand the announced solemnities, and the Sulpician proposals now passed without

Riots.

further difficulty. But this was far from determining their fate. Though the aristocracy in the capital might own its defeat, there was now—for the first time since the commencement of the revolution—yet another power in Italy which could not be overlooked, viz. the two strong and victorious armies of the proconsul Strabo and the consul Sulla. The political position of Strabo might be ambiguous, but Sulla, although he had given way to open violence for the moment, was on the best terms with the majority of the senate; and not only so, but he had, immediately after countermanding the solemnities, departed for Campania to join his army. To terrify the unarmed consul by bludgeons or the defenceless capital by the swords of the legions, amounted to the same thing in the end: Sulpicius expected that his opponent, now when he could, would requite violence with violence and return to the capital at the head of his legions to overthrow the conservative demagogue and his laws along with him. Perhaps he was mistaken. Sulla was as eager for the war against Mithradates as he was probably averse to the political exhalations of the capital; considering his original spirit of indifference and his unrivalled political nonchalance, there is great probability that he by no means meditated the *coup d'état* which Sulpicius expected, and that, if he had been let alone, he would have embarked without delay with his troops for Asia so soon as he had captured Nola, with the siege of which he was still occupied.

Position of Sulla.

But, be this as it might, Sulpicius, with a view to parry the anticipated blow, conceived the scheme of taking the supreme command from Sulla; and for this purpose joined with Marius, whose name was still sufficiently popular to make a proposal to transfer to him the chief command in the Asiatic war appear plausible to the multitude, and whose military position and ability might prove a support in the event of a rupture with Sulla. Sulpicius probably did not overlook the danger involved in placing that old man—not less incapable than vengeful and ambitious—at the head of the Campanian army, and as little the scandalous irregularity of entrusting an extraordinary supreme command by decree of the people to a private man; but the very tried incapacity of Marius as a statesman gave a sort of guarantee that he could not

Marius nominated commander-in-chief in Sulla's stead.

seriously endanger the constitution, and above all the personal position of Sulpicius, if he formed a correct estimate of Sulla's designs, was one of so imminent peril that such considerations could hardly be longer heeded. That the worn-out hero himself should readily meet the wishes of any one who would employ him as a *condottiere*, was a matter of course; his heart had now for many years longed for the command in an Asiatic war, and not less perhaps for an opportunity of settling accounts thoroughly with the majority of the senate. Accordingly on the proposal of Sulpicius Gaius Marius was by decree of the people invested with extraordinary supreme, or as it was called proconsular, power, and obtained the command of the Campanian army and the superintendence of the war against Mithradates; and two tribunes of the people were despatched to the camp at Nola, with a view to have the army handed over to them by Sulla.

Sulla's recall.

Sulla was not the man to yield to such a summons. If any one had a vocation to the chief command in the Asiatic war, it was Sulla. He had a few years before commanded with the greatest success in the same theatre of war; he had contributed more than any other man to the subjugation of the dangerous Italian insurrection; as consul of the year in which the Asiatic war broke out, he had been invested with the command in it after the customary way and with the full consent of his colleague, who was on friendly terms with him and related to him by marriage. It was expecting a great deal to suppose that he would, in accordance with a decree of the sovereign burgesses of Rome, give up a command undertaken in such circumstances to an old military and political antagonist, in whose hands the army might be turned to none could tell what violent and preposterous proceedings. Sulla was neither good-natured enough to comply voluntarily with such an order, nor dependent enough to be compelled to do so. His army was—partly in consequence of the alterations of the military system which originated with Marius, partly from the moral laxity and the military strictness of its discipline in the hands of Sulla—little more than a body of mercenaries absolutely devoted to their leader and indifferent to political affairs. Sulla himself was a hardened, cool, and

clear-headed man, in whose eyes the sovereign Roman burgesses were a rabble, the hero of Aquae Sextiae a bankrupt swindler, formal legality a mere phrase, Rome itself a city without a garrison and with its walls half in ruins, which could be far more easily captured than Nola.

Sulla's march on Rome.

On these views he acted. He assembled his soldiers—there were six legions, or about 35,000 men—and explained to them the summons that had arrived from Rome, not forgetting to hint that the new commander-in-chief would undoubtedly lead to Asia Minor not the army as it stood, but another formed of fresh troops. The superior officers, who still had more of the citizen than the soldier, kept aloof, and only one of them followed the general towards the capital; but the soldiers, who in accordance with earlier experiences (ii. 367) hoped to find in Asia an easy war and endless booty, were furious; in a moment the two tribunes that had come from Rome were torn in pieces, and from all sides the cry arose that the general should lead them to Rome. Without delay the consul started, and forming a junction with his like-minded colleague by the way, he arrived by quick marches—little troubling himself about the deputies who hastened from Rome to meet and attempted to detain him—beneath the walls of the capital. Suddenly the Romans beheld columns of Sulla's army take their station at the bridge over the Tiber and at the Colline and Esquiline gates; and then two legions in battle array, with their standards at their head, crossed the sacred boundary within which the law had forbidden war to enter. Many a worse quarrel, many an important feud had been brought to a settlement within those walls, without a Roman army venturing to break the sacred fence of the city; that step was now taken, primarily for the sake of the miserable question whether this or that officer was called to command in the East.

Rome occupied.

The entering legions advanced as far as the height of the Esquiline; when the missiles and stones descending in showers from the roofs made the soldiers waver and they began to give way, Sulla brandished a blazing torch, and with firebrands and threats of setting the houses on fire the legions cleared their way to the Esquiline Forum (not far from S. Maria Maggiore). There the force hastily col-

lected by Marius and Sulpicius awaited them, and by its superior numbers repelled the first advancing columns. But reinforcements came up from the gates; another division of the Sullans made preparations for turning the defenders by the street of the Subura; the latter were obliged to retire. At the temple of Tellus, where the Esquiline begins to slope towards the great Forum, Marius attempted once more to make a stand; he adjured the senate and equites and all the citizens to throw themselves across the path of the legions; it was in vain. Even when the slaves were summoned to arm under the promise of freedom, not more than three of them appeared. Nothing remained for the leaders but to escape in all haste through the still unoccupied gates; after a few hours Sulla was absolute master of Rome. That night the watchfires of the legions blazed in the great market-place of the capital.

First Sullan restoration.

The first military intervention in civil feuds had fully demonstrated, not only that the political struggles had reached the point at which nothing save open and direct force proves decisive, but also that the power of the bludgeon was of no avail against the power of the sword. It was the conservative party which first drew the sword, and which accordingly in due time experienced the truth of the ominous words of the Gospel as to those who first have recourse to it. For the present they triumphed completely and might put the victory into formal shape at their own pleasure. As a matter of course, the Sulpician laws were characterized as legally null. Their author and his most notable adherents had fled; they were, twelve in number, proscribed by the senate to be arrested and executed as enemies of their country. Publius Sulpicius was accordingly seized at Laurentum and put to death; and the head of the tribune, sent to Sulla, was by his orders exposed in the Forum at the very rostra where he himself had stood but a few days before in the full vigour of youth and eloquence. The rest of the proscribed were pursued; the assassins were on the track of even the old Gaius Marius. Although the general might have clouded the memory of his glorious days by a succession of pitiful proceedings, now that the deliverer of his country was running for his life, he was once more the victor of Vercellae, and with

Death of Sulpicius.

Flight of Marius.

breathless suspense all Italy listened to the incidents of his marvellous flight. At Ostia he had gone on board a transport with the view of sailing for Africa; but adverse winds and want of provisions compelled him to land at the Circeian promontory and to wander at random. With few attendants and without trusting himself to a roof, the grey-haired consular, often suffering from hunger, found his way on foot to the neighbourhood of the Roman colony of Minturnae at the mouth of the Garigliano. There the pursuing cavalry were seen in the distance; with great difficulty he reached the coast and a trading-vessel lying there withdrew him from his pursuers; but the timid mariners soon put him ashore again and made off, while Marius stole along the beach. His pursuers found him in the salt-marsh of Minturnae sunk to the girdle in the mud and with his head concealed amidst a quantity of reeds, and delivered him to the civic authorities of Minturnae. He was placed in prison, and the town-executioner, a Cimbrian slave, was sent to put him to death; but the German trembled before the flashing eyes of his old conqueror and the axe fell from his hands, when the general with his powerful voice haughtily demanded whether he dared to kill Gaius Marius. When they learned this, the magistrates of Minturnae were ashamed that the deliverer of Rome should meet with greater reverence from slaves to whom he had brought servitude than from his fellow-citizens to whom he had brought freedom; they loosed his fetters, gave him a vessel and money for travelling expenses, and sent him to Aenaria (Ischia). The proscribed with the exception of Sulpicius gradually met in those waters; they landed at Eryx and at what was formerly Carthage, but the Roman magistrates both in Sicily and in Africa sent them away. So they escaped to Numidia, whose sandy deserts gave them a place of refuge for the winter. But the king Hiempsal II., whom they hoped to gain and who had seemed for a time willing to unite with them, had only done so to lull them into security, and now attempted to seize their persons. With great difficulty the fugitives escaped from his cavalry, and found a temporary refuge in the little island of Kerkina (Kerkena) on the coast of Tunis. We know not whether Sulla thanked his fortunate star that he had been

spared the odium of putting to death the victor of the Cimbrians; at any rate it does not appear that the magistrates of Minturnae were punished.

Legislation of Sulla.

With a view to remove existing evils and to prevent future revolutions, Sulla suggested a series of new legislative enactments. For the hard-pressed debtors nothing seems to have been done, except that the rules as to the maximum rate of interest were enforced;* directions moreover were given for the formation of a number of colonies. The senate which had been greatly thinned by the battles and prosecutions of the Social War was filled up by the admission of 300 new senators, who were naturally selected in the interest of the Optimates. Lastly, material changes were adopted in respect to the mode of election and the initiative of legislation. The arrangement for voting in the centuriate comitia introduced in 513 (ii. 374), which conceded an equal voice to each of the five property-classes, was again exchanged for the old Servian arrangement, under which the first class alone, having estate of 100,000 sesterces (£1000) or upwards, possessed almost half of the votes. Practically there was thus introduced for the election of consuls, praetors, and censors, a census which really excluded the non-wealthy from exercising the suffrage. The legislative initiative in the case of the tribunes of the people was restricted by the rule, that every proposal had henceforth to be submitted by them in the first instance to the senate and could only come before the people in the event of the senate approving it.

241.

These enactments which were called forth by the Sulpician attempt at revolution from the man who then came forward as the shield and sword of the constitutional party—the consul Sulla—bear an altogether peculiar character. Sulla ventured, without consulting the burgesses or jurymen, to pronounce sentence of death on twelve of the most distinguished men, including magistrates actually in office and the most famous general of his time, and publicly to defend these proscriptions; a violation of the venerable and sacred

* It is not clear, what the *lex unciaria* of the consuls Sulla and Rufus in the year 666 prescribed in this respect; but the simplest hypothesis is that which regards it as a renewal of the law of 397 (i. 312), so that the highest allowable rate of interest was again $\frac{1}{12}$th of the capital for the year of ten months or 10 per cent. for the year of twelve months.

laws of appeal, which met with severe censure even from very conservative men, such as Quintus Scaevola. He ventured to overthrow an arrangement as to the elections which had subsisted for a century and a half, and to restore the electoral census which had been long obsolete and proscribed. He ventured practically to withdraw the right of legislation from its two primitive factors, the magistrates and the comitia, and to transfer it to a board which had at no time possessed formally any other privilege in this respect than that of being asked for its advice (i. 349). Hardly had any democrat ever exercised justice in forms so tyrannical, or disturbed and remodelled the foundations of the constitution with so reckless an audacity, as this conservative reformer. But if we look at the substance instead of the form, we reach very different conclusions. Revolutions have nowhere ended, and least of all in Rome, without demanding a certain number of victims, who under forms more or less borrowed from justice atone for the fault of defeat as though it were a crime. Any one who recalls the succession of prosecutions carried on by the victorious party after the fall of the Gracchi and Saturninus (p. 99, 138, 227) will be inclined to yield to the victor of the Esquiline market the praise of candour and comparative moderation, in so far as, first, he without ceremony accepted as war what was really such and proscribed the men who were defeated as enemies beyond the pale of the law, and, secondly, he limited as far as possible the number of victims and allowed at least no offensive outbreak of fury against inferior persons. A similar moderation appears in the political arrangements. The innovation as respects legislation—the most important and apparently the most comprehensive—in fact only brought the letter of the constitution into harmony with its spirit. The Roman legislation, under which any consul, praetor, or tribune could propose to the burgesses any measure at pleasure and bring it to the vote without debate, had from the first been irrational and had become daily more so with the growing nullity of the comitia; it was only tolerated, because in practice the senate had claimed for itself the privilege of previous deliberation and regularly crushed any proposal put to the vote without such previous deliberation by means of

the political or religious veto (i. 349). The revolution had swept away these barriers; and in consequence that absurd system now began fully to develop its results, and to put it in the power of any petulant knave to overthrow the state in due form of law. What was under such circumstances more natural, more necessary, more truly conservative, than now to recognise formally and expressly the legislation of the senate to which effect had been hitherto given by a circuitous process? The renewal of the electoral census was in a somewhat similar position. The earlier constitution was thoroughly based on it; and the reform of 513, while 241.
restricting the privileges of the men of wealth, had rigorously retained the principle of excluding the burgesses rated below 11,000 sesterces (£110) from any sort of influence on the elections. But since that year there had occurred an immense financial revolution, which would itself have justified a nominal raising of the minimum census. The new timocracy consequently changed the letter of the constitution only with a view to remain faithful to its spirit, while it at the same time in the mildest possible form attempted at least to check the disgraceful bribery with all the evils therewith connected. Lastly, the regulations in favour of debtors and the resumption of the schemes of colonization gave express proof that Sulla, although not disposed to approve the impetuous proposals of Sulpicius, was yet, like Sulpicius and Drusus and all the more far-seeing aristocrats in general, favourable to material reforms in themselves; and withal we may not overlook the circumstance, that he proposed these measures after the victory and entirely of his own free will. If we combine with such considerations the fact, that Sulla allowed the principal foundations of the Gracchan constitution to stand and disturbed neither the equestrian courts nor the largesses of grain, we shall find warrant for the opinion that the Sullan arrangement of 666 substantially adhered to the 88.
status quo subsisting since the fall of Gaius Gracchus; he merely, on the one hand, altered as the times required the traditional rules that primarily threatened danger to the existing government, and, on the other hand, sought to remedy according to his power the existing social evils, so far as either could be done without touching ills that lay

deeper. Emphatic contempt for constitutional formalism in connection with a vivid appreciation of the intrinsic value of existing arrangements, clear perceptions, and praiseworthy intentions mark this legislation throughout. But it bears also a certain frivolous and superficial character; it needed in particular a great amount of good nature to believe that the fixing a maximum of interest would remedy the complications of debtor and creditor, and that the right of previous deliberation on the part of the senate would prove more capable of resisting future demagogism than the right of veto and religion had previously been.

New complications.

In reality new clouds very soon began to overcast the clear sky of the conservatives. The relations of Asia assumed daily a more threatening character. The state had already suffered the utmost injury through the delay which the Sulpician revolution had occasioned in the departure of the army for Asia; the embarkation could on no account be longer postponed. Meanwhile Sulla hoped to leave behind him guarantees against a new assault on the oligarchy in Italy, partly in the consuls who would be elected under the new electoral arrangements, partly and especially in the armies employed in suppressing the remains of the Italian insurrection. In the consular comitia, however, the choice did not fall on the candidates set up by Sulla, but Lucius Cornelius Cinna, who belonged to the most determined opposition, was associated with Gnaeus Octavius, a man certainly of strictly Optimate views. It may be presumed that it was chiefly the capitalist party, which by this choice retaliated on the author of the interest-law. Sulla accepted the unpleasant election with the declaration that he was glad to see the burgesses making use of their constitutional liberty of choice, and contented himself with exacting from both consuls an oath that they would faithfully observe the existing constitution. Of the armies, the one on which the matter chiefly depended was that of the north, as the greater part of the Campanian army was destined to depart for Asia. Sulla got the command of the former entrusted by decree of the people to his devoted colleague Quintus Rufus, and procured the recall of the former general Gnaeus Strabo in such a manner as to spare as far as possible his feelings—the more

Cinna.

Strabo.

so, because the latter belonged to the equestrian party and his passive attitude during the Sulpician troubles had occasioned no small anxiety to the aristocracy. Rufus arrived at the army and took the chief command in Strabo's stead; but a few days afterwards he was killed by the soldiers, and Strabo returned to the command which he had hardly abdicated. He was regarded as the instigator of the murder; it is certain that he was a man from whom such a deed might be expected, that he reaped the fruits of the crime, and that he punished the well-known perpetrators of it only with words. The removal of Rufus and the commandership of Strabo formed a new and serious danger for Sulla; yet he did nothing to deprive the latter of his command. Soon afterwards, when his consulship expired, he found himself on the one hand urged by his successor Cinna to depart at length for Asia where his presence was certainly urgently needed, and on the other hand cited by one of the new tribunes before the bar of the people; it was clear to the dullest eye, that a new attack on him and his party was in preparation, and that his opponents wished his removal. Sulla had no alternative save either to push the matter to a breach with Cinna and perhaps with Strabo and once more to march on Rome, or to leave Italian affairs to take their course and to remove to another continent. Sulla decided—whether more from patriotism or more from indifference, will never be ascertained—for the latter alternative; handed over the corps left behind in Samnium to the trustworthy and experienced Quintus Metellus Pius, who was invested in Sulla's stead with the proconsular command in chief over Lower Italy; gave the conduct of the siege of Nola to the propractor Appius Claudius; and embarked with his legions in the beginning of 667 for the Hellenic East. 87.

Sulla embarks for Asia.

CHAPTER VIII.

THE EAST AND KING MITHRADATES.

State of the East.

The state of breathless excitement, in which the revolution kept the Roman government by perpetually renewing the alarm of fire and the cry to quench it, made them lose sight of provincial matters generally; and that most of all in the case of the Asiatic East, whose remote and unwarlike nations did not thrust themselves so directly on the attention of the government as Africa, Spain, and the neighbouring Transalpine peoples. After the annexation of the kingdom of Attalus, which took place contemporaneously with the outbreak of the revolution, for a whole generation there is hardly any evidence of Rome taking a serious part in Oriental affairs—with the exception of the establishment of the province of Cilicia in 652 (p. 146), to which the Romans were driven by the boundless audacity of the Cilician pirates, and which was in reality nothing more than the institution of a permanent station for a small division of the Roman army and fleet in the eastern waters. It was not till the downfall of Marius in 654 had in some measure consolidated the government of the restoration, that the Roman authorities began anew to bestow some attention on the events in the East.

102.

100.

Egypt.

In many respects matters still stood as they had done thirty years ago. The kingdom of Egypt with its two appendages of Cyrene and Cyprus was broken up, partly *de jure*, partly *de facto*, on the death of Euergetes II. (637). Cyrene went to his natural son, Ptolemaeus Apion, and was for ever separated from Egypt. The sovereignty of the latter formed a subject of contention between the widow of the last king Cleopatra (+ 665), and his two sons Soter II. Lathyrus (+ 673) and Alexander I. (+ 666); which gave occasion to Cyprus also to separate itself for a considerable period from

117.

89.

81. 88.

Egypt. The Romans did not interfere in these complications; in fact, when the Cyrenaean kingdom fell to them in 658 by the testament of the childless king Apion, while not directly rejecting the acquisition, they left the country in substance to itself by declaring the Greek towns of the kingdom, Cyrene, Ptolemais, and Berenice, free cities and even handing over to them the use of the royal domains. The supervision of the governor of Africa over this territory was from its remoteness merely nominal, far more so than that of the governor of Macedonia over the Hellenic free cities. The consequences of this measure—which beyond doubt originated not in Philhellenism, but simply in the weakness and negligence of the Roman government—were substantially similar to those which had occurred under the like circumstances in Hellas; civil wars and usurpations so rent the land that, when a Roman officer of rank accidentally made his appearance there in 668, the inhabitants urgently besought him to regulate their affairs and to establish a permanent government among them.

Cyrene Roman. 96. 86.

In Syria also during the interval there had not been much change, and still less any improvement. During the twenty years' war of succession between the two half-brothers Antiochus Grypus (+ 658) and Antiochus of Cyzicus (+ 659), which after their death was inherited by their sons, the kingdom which was the object of contention became almost an empty name, inasmuch as the Cilician sea-kings, the Arab sheiks of the Syrian desert, the princes of the Jews, and the magistrates of the larger towns had ordinarily more to say than the wearers of the diadem. Meanwhile the Romans established themselves in western Cilicia, and the important Mesopotamia passed over definitively to the Parthians.

Syria. 96. 95.

The monarchy of the Arsacidae had passed through a dangerous crisis about the time of the Gracchi, chiefly in consequence of the inroads of Turanian tribes. The ninth Arsacid, Mithradates II. or the Great (630 ?–667 ?), had recovered for the state its position of ascendancy in the interior of Asia, repulsed the Scythians, and advanced the frontier of the kingdom towards Syria and Armenia; but towards the end of his life new troubles disturbed his reign;

The Parthian state. 124–87.

and, while the grandees of the kingdom including his own brother Orodes rebelled against the king and at length that brother overthrew him and put him to death, the hitherto
Armenia. unimportant Armenia rose into power. This country, which since its declaration of independence (ii. 232) had been divided into the north-eastern portion or Armenia proper, the kingdom of the Artaxiadae, and the south-western or Sophene, the kingdom of the Zariadridae, was for the first time united into one kingdom by the Artaxiad Tigranes (who had
94. reigned since 660); and this doubling of his power on the one hand, and the weakness of the Parthian rule on the other, enabled the new king of all Armenia not only to free himself from dependence on the Parthians and to recover the provinces formerly ceded to them, but even to bring to Armenia the titular supremacy of Asia, as it had passed from the Achaemenids to the Seleucids and from the Seleucids to the Arsacids.

Asia Minor. Lastly in Asia Minor the territorial arrangements, which had been made under Roman influence after the dissolution of the kingdom of Attalus (p. 59), still subsisted in the main unchanged; except that Great Phrygia, after Gaius Gracchus had discovered the dealings between Mithradates Euergetes and the consul Aquillius (p. 127), had been again withdrawn from the king of Pontus and united as a free country with the Roman province of Asia, like Hellas with
120. Macedonia (about 634). In the condition of the dependent states—the kingdoms of Bithynia, Cappadocia, Pontus, the principalities of Paphlagonia and Galatia, the numerous city-leagues and free towns—no outward change was at first discernible. But, intrinsically, the character of the Roman rule had certainly undergone everywhere a material alteration. Partly through the constant growth of oppression naturally incident to every tyrannic government, partly through the indirect operation of the Roman revolution—in the seizure, for instance, of the property of the soil in the province of Asia by Gaius Gracchus, in the Roman tenths and customs, and in the human hunts which the collectors of the revenue added to their other avocations there—the Roman rule, barely tolerable even from the first, pressed so heavily on Asia that neither the crown of the king nor the

hut of the peasant there was any longer safe from confiscation, that every stalk of corn seemed to grow for the Roman *decumanus*, and every child of free parents seemed to be born for the Roman slave-drivers. It is true that the Asiatic bore even this torture with his inexhaustible passive endurance; but it was not patience and reflection that made him bear it peacefully. It was rather the peculiarly Oriental want of power to take the initiative; and in these peaceful lands, amidst these effeminate nations, strange and terrible things might happen, if once there should appear among them a man who knew how to give the signal for revolt.

Mithradates Eupator. 130–63.

There reigned at that time in the kingdom of Pontus Mithradates VI. surnamed Eupator (born about 624, + 691) who traced back his lineage on the father's side in the sixteenth generation to king Darius the son of Hystaspes and in the eighth to Mithradates I. the founder of the Pontic empire, and was on the mother's side descended from the Alexandridae and the Seleucidae. After the early death of his father Mithradates Euergetes, who fell by the hand of an assassin at Sinope, he had received the title of king about 634, when a boy of eleven years of age; but the diadem brought to him only trouble and danger. His guardians, and even as it would seem his own mother called to take a part in the government by his father's will, conspired against the boy-king's life. It is said that, in order to escape from the daggers of his legal protectors, he became of his own accord a wanderer, and during seven years, changing his resting-place night after night, a fugitive in his own kingdom, led the life of a homeless hunter. Thus the boy grew into a powerful man. Although our accounts regarding him are in substance traceable to written records of contemporaries, yet the legendary tradition which is generated with the rapidity of lightning in the East early adorned the mighty king with many of the traits of its Samson and Rustem. These traits, however, belong to his character just as the crown of clouds belongs to the character of the highest mountain-peaks; the outline of the figure appears in both cases only more coloured and fantastic, not disturbed or essentially altered. The armour, which fitted the gigantic frame of king Mithradates, excited the wonder of the

120.

Asiatics and still more that of the Italians. As a runner he overtook the swiftest deer; as a rider he broke in the wild steed, and was able by changing horses to accomplish 120 miles in a day; as a charioteer he drove with sixteen in hand, and gained in competition many a prize—it was dangerous, no doubt, in such sport to carry off victory from the king. In hunting on horseback, he hit the game at full gallop and never missed his aim. He challenged competition at table also—he arranged banqueting matches and carried off in person the prizes proposed for the most substantial eater and the hardest drinker—and not less so in the pleasures of the harem, as was shown among other things by the licentious letters of his Greek mistresses, which were found among his papers. His intellectual wants he satisfied by the wildest superstition—the interpretation of dreams and the Greek mysteries occupied not a few of the king's hours—and by a rude adoption of Hellenic civilization. He was fond of Greek art and music; that is to say, he collected precious articles, rich furniture, old Persian and Greek objects of luxury—his cabinet of rings was famous—he had constantly Greek historians, philosophers, and poets in his train, and proposed prizes at his court-festivals not only for the greatest eaters and drinkers, but also for the merriest jester and the best singer. Such was the man; the sultan corresponded. In the East, where the relation between the ruler and the ruled bears the character of natural rather than of moral law, the subject resembles the dog alike in fidelity and in falsehood, the ruler is cruel and distrustful. In both respects Mithradates has hardly been surpassed. By his orders there died or pined in perpetual captivity for real or alleged treason his mother, his brother, his sister espoused to him, three of his sons and as many of his daughters. Still more revolting perhaps is the fact, that among his secret papers were found sentences of death, drawn up beforehand, against several of his most confidential servants. In like manner it was a genuine trait of the sultan, that he afterwards, for the mere purpose of depriving his enemies of trophies of victory, caused his whole harem to be killed and distinguished his favourite concubine, a beautiful Ephesian, by allowing her to choose the mode of death.

He prosecuted the experimental study of poisons and antidotes as an important branch of the business of government, and tried to inure his body to particular poisons. He had early learned to look for treason and assassination at the hands of everybody and especially of his nearest relatives, and he had early learned to practise them against everybody and most of all against those nearest to him; of which the necessary consequence—attested by all his history—was, that all his undertakings finally miscarried through the perfidy of those whom he trusted. At the same time we doubtless meet with isolated traits of high-minded justice: when he punished traitors, he ordinarily spared those who had become involved in the crime simply from their personal relations with the leading culprit; but such fits of equity are to be met with in every barbarous tyrant. What really distinguishes Mithradates amidst the multitude of similar sultans, is his boundless activity. He disappeared one fine morning from his palace and remained unheard of for months, so that he was given over as lost; when he returned, he had wandered incognito through all western Asia and reconnoitred everywhere the country and the people. In like manner he was not only generally fluent in speech, but he administered justice to each of the twenty-two nations over which he ruled in its own language without needing an interpreter—a trait significant of the versatile ruler of the many-tongued East. His whole activity as a ruler bears the same character. So far as we know (for our authorities are unfortunately altogether silent as to his internal administration) his energies, like those of every other sultan, were spent in collecting treasures, in assembling armies—which were usually, in his earlier years at least, led against the enemy not by the king in person, but by some Greek *condottiere*—in efforts to add new satrapies to the old. Of higher elements—desire to advance civilization, earnest leadership of the national opposition, special gifts of genius—there are found, in our traditional accounts at least, no distinct traces in Mithradates, and we have no reason to place him on a level even with the great rulers of the Osmans, such as Mohammed II. and Suleiman. Notwithstanding his Hellenic culture, which sat on him not much better than the Roman armour sat on his

Cappadocians, he was throughout an Oriental of the ordinary stamp, coarse, full of the most sensual appetites, superstitious, cruel, perfidious, and unscrupulous, but so vigorous in organization, so powerful in physical endowments, that his defiant laying about him and his unshaken courage in resistance frequently look like talent, sometimes even like genius. Granting that during the death-struggle of the republic it was easier to offer resistance to Rome than in the times of Scipio or Trajan, and that it was only the complication of the Asiatic events with the internal commotions of Italy which rendered it possible for Mithradates to resist the Romans twice as long as Jugurtha did, it remains nevertheless true that before the Parthian wars he was the only enemy who gave serious trouble to the Romans in the East, and that he defended himself against them as the lion of the desert defends himself against the hunter. Still we are not entitled, in accordance with what we know, to recognize in him more than the resistance to be expected from so vigorous a nature.

But, whatever judgment we may form as to the individual character of the king, his historical position remains in a high degree significant. The Mithradatic wars formed at once the last movement of the political opposition offered by Hellas to Rome, and the beginning of a revolt against the Roman supremacy resting on very different and far deeper grounds of antagonism—the national reaction of the Asiatics against the Occidentals. The empire of Mithradates was, like himself, Oriental; polygamy and the system of the harem prevailed at court and generally among persons of rank; the religion of the inhabitants of the country as well as the official religion of the court was pre-eminently the old national worship; the Hellenism there was little different from the Hellenism of the Armenian Tigranidae and the Arsacidae of the Parthian empire. The Greeks of Asia Minor might imagine for a brief moment that they had found in this king a support for their political dreams; his battles were really fought for matters very different from those which were decided on the fields of Magnesia and Pydna. They formed —after a long truce—a new passage in the huge duel between the West and the East, which has been transmitted from the struggle of Marathon to the present generation and will

perhaps reckon its future by thousands of years as it has reckoned its past.

The nationalities of Asia Minor.

Manifest however as is the foreign and un-Hellenic character of the whole life and action of the Cappadocian king, it is difficult to define what national element preponderated in it, nor will research perhaps ever succeed in getting beyond generalities or in attaining clear views on this point. In the whole circle of ancient civilization there is no region where the stocks subsisting side by side or crossing each other were so numerous, so heterogeneous, so variously from the remotest times intermingled, and where in consequence the relations of the nationalities were so obscure, as in Asia Minor. The Semitic population continued in an unbroken chain from Syria to Cyprus and Cilicia, and to it the original stock of the population along the west coast in the Carian and Lydian provinces seems also to have belonged, while the north-western point was occupied by the Bithynians, who were related to the Thracians in Europe. The interior and the north coast, on the other hand, were filled chiefly by Indo-Germanic peoples most nearly cognate to the Iranian. In the case of the Armenian and Phrygian languages * it is ascertained, in that of the Cappadocian it is highly probable, that they had immediate affinity with the Zend ; and the statement made as to the Mysians, that among them the Lydian and Phrygian languages met, just denotes a mixed Semitic-Iranian population that may be compared perhaps with that of Assyria. As to the regions stretching between Cilicia and Caria, more especially Lycia, there is still, notwithstanding the full remains of the native language and writing that are in this particular instance extant, a want of reliable results, and it is merely probable that these tribes ought to be reckoned among the Indo-Germans rather than the Semites. How all this confused mass of peoples was overlaid first with a net of Greek mercantile cities, and then with the Hellenism called into life by the military as well as intellectual ascendancy of the Greek nation, has in general outline been set forth already.

* The words quoted as Phrygian Βαγαῖος = Zeus and the old royal name Μάνις have been beyond doubt correctly referred to the Zend *bagha* = God and the Germanic *Mannus*, Indian *Manus* (Lassen, *Zeitschrift der deutschen morgenländ. Gesellschaft*, vol. x. p. 329 *seq.*)

Pontus.

In these regions ruled king Mithradates, and that first of all in Cappadocia on the Black Sea or Pontus as it was called, a district in which, situated as it was at the north-eastern extremity of Asia Minor towards Armenia and in constant contact with the latter, we may presume that the Iranian nationality preserved itself with less admixture than anywhere else in Asia Minor. Not even Hellenism had penetrated far into that region. With the exception of the coast where several originally Greek settlements subsisted —especially the important commercial marts Trapezus, Amisus, and above all Sinope, the birthplace and residence of Mithradates and the most flourishing city of the empire—the country was still in a very primitive condition. Not that it had lain waste; on the contrary, as the province of Pontus is still one of the most fertile on the face of the earth, with its fields of grain alternating with forests of wild fruit trees, it was beyond doubt even in the time of Mithradates well cultivated and also comparatively populous. But there were hardly any towns properly so called; the country possessed nothing but strongholds, which served the peasants as places of refuge and the king as treasuries for the custody of the revenues which accrued to him; in the Lesser Armenia alone, in fact, there were counted seventy-five of these little royal forts. We do not find that Mithradates materially contributed to promote the growth of towns in his empire; and situated as he was,—in practical, though not perhaps on his own part quite conscious, reaction against Hellenism,—this is easily explained.

Acquisitions of territory by Mithradates.

He appears more actively employed—likewise quite in the Oriental style—in enlarging on all sides his kingdom, which was even then not small, though its compass is probably over-stated at 2300 miles: we find his armies, his fleets, and his envoys busy along the Black Sea as well as towards Armenia and Asia Minor. But nowhere did so free and ample an arena present itself to him as on the eastern and northern shores of the Black Sea, the state of which at that time we must not omit to glance at, however difficult or in fact impossible it is to give a really distinct idea of it. On the eastern coast of the Black Sea—which, previously almost unknown, was first opened up to more general knowledge by

Mithradates—the region of Colchis on the Phasis (Mingrelia and Imeretia) with the important commercial town of Dioscurias was wrested from the native princes and converted into a satrapy of Pontus. Of still greater moment were his enterprises in the north.* The wide steppes destitute of hills and trees, which stretch to the north of the Black Sea, of the Caucasus, and of the Caspian, are by reason of their natural conditions—more especially from the variations of temperature fluctuating between the climate of Stockholm and that of Madeira, and from the absolute destitution of rain or snow which occurs not unfrequently and lasts for a period of twenty-two months or longer—little adapted for agriculture or for permanent settlement at all; and they always were so, although two thousand years ago the state of the climate was probably somewhat less unfavourable than it is at the present day.† The various tribes, whose wandering impulse led them into these regions, submitted to this ordinance of nature and led (and still to some extent lead) a wandering pastoral life with their herds of oxen or still more frequently of horses, changing their places of abode and pasture, and carrying their effects along with them in waggon-houses. Their equipment and style of fighting were consonant to this mode of life; the inhabitants of these steppes fought in great measure on horseback and always in loose array, equipped with helmet and coat of mail of leather and leather-covered shield, armed with sword, lance, and bow—the ancestors of the modern Cossacks. The Scythians originally settled there, who seem to have been of Mongolian race and akin in their habits and physical appearance to the present inhabitants of Siberia, had been followed up by Sarmatian tribes advancing from east to west,—Sauromatae, Roxolani, Jazyges,—who are commonly reckoned of Slavonian descent, although the proper names, which we are entitled to ascribe to them,

Colchis.

Northern shores of the Black Sea.

* They are here grouped together, because, though they were in part doubtless not executed till between the first and the second war with Rome, they to some extent preceded even the first (Memn. 30; Justin xxxviii. 7 *ap. fin.*; App. *Mithr.* 13; Eutrop. v. 5) and a narrative in chronological order is in this case absolutely impracticable.

† It is very probable that the extraordinary drought, which is the chief obstacle now to agriculture in the Crimea and in these regions generally, has been greatly increased by the disappearance of the forests of central and southern Russia, which formerly to some extent protected the coast-provinces from the parching north-east wind.

show more affinity with Median and Persian names and those peoples perhaps belonged rather to the great Zend stock. Thracian tribes moved in the opposite direction, particularly the Getae, who reached as far as the Dniester. Between the two there intruded themselves—probably as offsets of the great Germanic migration, the main body of which seems not to have touched the Black Sea—the Celts, as they were called, on the Dnieper, the Bastarnae in the same quarter, and the Peucini at the mouth of the Danube. A state, in the proper sense, was nowhere formed; every tribe lived by itself under its princes and elders.

Hellenism in that quarter.

In broad contrast to all these barbarians stood the Hellenic settlements, which at the time of the mighty impetus given to Greek commerce had been founded chiefly by the efforts of Miletus on these coasts, partly as trading-marts, partly as stations for prosecuting important fisheries and even for agriculture, for which, as we have already said, the north-western shores of the Black Sea presented in antiquity conditions less unfavourable than at the present day. For the use of the soil the Hellenes paid here, like the Phoenicians in Libya, tax and ground-rent to the native rulers. The most important of these settlements were the free city of Chersonesus (not far from Sebastopol), built on the territory of the Scythians in the Tauric peninsula (Crimea), and maintaining itself in moderate prosperity under circumstances far from favourable by virtue of its good constitution and the public spirit of its citizens; and Panticapaeum (Kertch) at the opposite side of the peninsula on the straits leading from the Black Sea to the Sea of Azov, governed since the
297. year 457 U.C. by hereditary burgomasters, afterwards called kings of the Bosporus, the Archaeanactidae, Spartocidae, and Pacrisadae. The culture of corn and the fisheries of the Sea of Azov had rapidly raised the city to prosperity. Its territory still in the time of Mithradates embraced the lesser eastern division of the Crimea including the town of Theodosia, and on the opposite Asiatic continent the town of Phanagoria and the district of Sindice. In better times the lords of Panticapaeum had ruled the peoples on the east coast of the Sea of Azov and the valley of the Kuban, and had commanded the Black Sea with their fleet; but Panti-

capaeum was no longer what it had been. Nowhere was the sad decline of the Hellenic nation felt more deeply than at these distant outposts. Athens in its good times had been the only Greek state which fulfilled there the duties of a leading power—duties which certainly were specially brought home to the Athenians by their need of Pontic grain. After the downfall of the Attic maritime power these regions were, on the whole, left to themselves. The Greek land-powers never succeeded in any serious intervention there, although Philip the father of Alexander and Lysimachus sometimes attempted it; and the Romans, on whom with the conquest of Macedonia and Asia Minor devolved the political obligation of becoming the strong protectors of Greek civilization at the point where it needed such protection, utterly neglected the summons of interest as well as of honour. The fall of Sinope, the decline of Rhodes, completed the isolation of the Hellenes on the northern shore of the Black Sea. A vivid picture of their position with reference to the roving barbarians is given to us by an inscription of Olbia (near Oczakow not far from the mouth of the Dnieper), which probably falls somewhere about the time of Mithradates. The citizens had not only to send annual tribute to the court-camp of the barbarian king, but also to make him a gift when he encamped before the town or even simply passed by, and in a similar way to buy off minor chieftains and in fact sometimes the whole horde with presents; and it fared ill with them if the gift appeared too small. The treasury of the town was bankrupt and they had to pledge the votive offerings. Meanwhile the savage tribes were thronging without in front of the gates; the territory was laid waste, the field-labourers were dragged away *en masse*, and, what was worst of all, the weaker of their barbarian neighbours, the Scythians, sought, in order to shelter themselves from the pressure of the more savage Celts, to obtain possession of the walled town, so that numerous citizens were leaving it and the inhabitants now contemplated its entire surrender.

Mithradates master of the Bosporan kingdom.

Such was the state in which Mithradates found matters, when his Macedonian phalanx crossing the ridge of the Caucasus descended into the valleys of the Kuban and

Terek and his fleet at the same time appeared in the Crimean waters. No wonder that everywhere, as had already been the case in Dioscurias, the Hellenes received the king of Pontus with open arms and regarded the half-Hellene and his Cappadocians armed in Greek fashion as their deliverers. What Rome had here neglected, became apparent. The demands on the rulers of Panticapaeum for tribute had just then been raised to an exorbitant height; the town of Chersonesus found itself hard pressed by Scilurus king of the Tauric Scythians and his fifty sons; the former were glad to surrender their hereditary lordship, and the latter their long-preserved freedom, in order to save their last possession, their Hellenism. It was not in vain. Mithradates' brave generals, Diophantus and Neoptolemus, and his disciplined troops easily got the better of the peoples of the steppe. Neoptolemus defeated them at the straits of Panticapaeum partly by water, partly in winter on the ice; Chersonesus was delivered, the strongholds of the Taurians were broken, and the possession of the peninsula was secured by judiciously constructed fortresses. Diophantus marched against the Roxolani (between the Dnieper and Don) who came forward to the aid of the Taurians; 80,000 of them fled before his 6000 phalangites, and the Pontic arms penetrated as far as the Dnieper. Thus Mithradates acquired here a second kingdom combined with that of Pontus and, like the latter, mainly based on a number of Greek commercial towns. It was called the kingdom of the Bosporus; it embraced the modern Crimea with the opposite Asiatic promontory, and annually furnished to the royal chests and magazines 200 talents (£48,000) and 270,000 bushels of grain. The tribes of the steppe themselves from the north slope of the Caucasus to the mouth of the Danube entered, at least in great part, into relations of dependence on, or treaty with, the Pontic king and, if they furnished him with no other aid, afforded at any rate an inexhaustible field for recruiting his armies.

Lesser Armenia

While thus the most important successes were gained towards the north, the king at the same time extended his dominions towards the east and the west. The Lesser Armenia was annexed by him and converted from a de-

pendent principality into an integral part of the Pontic kingdom; but still more important was the close connection which he formed with the king of the Greater Armenia. He not only gave his daughter Cleopatra in marriage to Tigranes, but it was mainly through his support that Tigranes shook off the yoke of the Arsacidae and took their place in Asia. An agreement seems to have been made between the two to the effect that Tigranes should take in hand to occupy Syria and the interior of Asia, and Mithradates Asia Minor and the coasts of the Black Sea, under promise of mutual support; and it was beyond doubt the more active and abler Mithradates who brought about this agreement with a view to cover his rear and to secure a powerful ally.

Alliance with Tigranes.

Lastly, in Asia Minor the king turned his eyes towards Paphlagonia and Cappadocia.* The former was claimed on the part of Pontus as having been bequeathed by the testament of the last of the Pylaemenidae to king Mithradates Euergetes: against this, however, legitimate or illegitimate pretenders and the land itself protested. As to Cappadocia, the Pontic rulers had not forgotten that this country and Cappadocia on the sea had been formerly united, and continually cherished ideas of reunion. Paphlagonia was occupied by Mithradates in concert with Nicomedes king of Bithynia, with whom he shared the land and thereby drew him wholly over to his interests. To cover in some degree the manifest violation of right, Nicomedes equipped one of his sons with the name of Pylaemenes and designated him as nominal ruler of Paphlagonia. The policy of the allies adopted still worse expedients in Cappadocia. King Ariarathes VI. was killed by Gordius, it was said by the orders,

Paphlagonia and Cappadocia acquired.

* The chronology of the following events can only be determined approximately. Mithradates Eupator seems to have practically entered on the government somewhere about 640; Sulla's intervention took place in 662 (Liv. *Ep.* 70) with which accords the calculation assigning to the Mithradatic wars a period of thirty years (662–691) (Plin. *H. N.* vii. 26, 97). In the interval fell the quarrels as to the Paphlagonian and Cappadocian succession, with which the bribery attempted by Mithradates in Rome (Diod. 631) apparently in the first tribunate of Saturninus in 651 (p. 217) was probably connected. Marius, who left Rome in 655 and did not remain long in the East, found Mithradates already in Cappadocia and negotiated with him regarding his aggressions (Cic. *ad Brut.* i. 5; Plut. *Mar.* 31); Ariarathes VI. had consequently been by that time put to death.

103.

99.

at any rate in the interest, of Ariarathes' brother-in-law Mithradates Eupator: his young son Ariarathes could only meet the encroachments of the king of Bithynia by means of the ambiguous help of his uncle, in return for which the latter then suggested to him that he should allow the murderer of his father, who had taken flight, to return to Cappadocia. This led to a rupture and to war; but when the two armies stood ready for battle, the uncle requested a previous conference with the nephew and thereupon cut down the unarmed youth with his own hand. Gordius, the murderer of the father, then undertook the government by the directions of Mithradates; and although the indignant population rose against him and called the younger son of the last king to the throne, the latter was unable to offer any permanent resistance to the superior forces of Mithradates. The speedy death of the youth placed by the people on the throne gave to the Pontic king the greater liberty of action, because with that youth the Cappadocian royal house became extinct. A Pseudo-Ariarathes was proclaimed as nominal regent, just as had been done in Paphlagonia; under whose name Gordius administered the kingdom as lieutenant of Mithradates.

Empire of Mithradates.

Mightier than any native monarch for many a day had been, Mithradates bore rule alike over the northern and the southern shores of the Black Sea and far into the interior of Asia Minor. The resources of the king for war by land and by sea seemed immeasurable. His recruiting field stretched from the mouth of the Danube to the Caucasus and the Caspian Sea; Thracians, Scythians, Sauromatae, Bastarnae, Colchians, Iberians (in the modern Georgia) crowded under his banners; above all he recruited his warhosts from the brave Bastarnae. For his fleet the satrapy of Colchis supplied him with the most excellent timber, which was floated down from the Caucasus, besides flax, hemp, pitch, and wax; pilots and officers were hired in Phoenicia and Syria. The king, it was said, had marched into Cappadocia with 600 scythe-chariots, 10,000 horse, and 80,000 foot; and he had by no means mustered for this war all his resources. In the absence of any Roman or other naval power worth mentioning, the Pontic fleet, with Sinope and

the ports of the Crimea as its rallying points, had exclusive command of the Black Sea.

The Romans and Mithradates.

During these aggressions on all sides and the formation of this imposing power—the development of which occupied perhaps a period of twenty years—the Roman senate was a patient on-looker. It was passive, while one of its dependent states became developed into a great military power, having at command more than a hundred thousand armed men; while the ruler of that state entered into the closest connection with the new great king of the East who was placed partly by his aid at the head of the states in the interior of Asia; while he annexed the neighbouring Asiatic kingdoms and principalities under pretexts which sounded almost like a mockery of the ill-informed and far distant protecting power; while, in fine, he even established himself in Europe and ruled as king over the Tauric peninsula, and as lord-protector almost to the Macedono-Thracian frontier. These circumstances indeed formed the subject of discussion in the senate; but when the illustrious corporation consoled itself in the affair of the Paphlagonian succession with the fact that Mithradates appealed to the testament and Nicomedes to his Pseudo-Pylaemenes, it was evidently not so much deceived as grateful for any pretext which spared it from interference. Meanwhile the complaints became daily more numerous and more urgent. The princes of the Tauric Scythians, whom Mithradates had driven from the Crimea, turned for help to Rome; those of the senators who at all reflected on the traditional maxims of Roman policy could not but recollect that formerly, under circumstances so wholly different, the crossing of king Antiochus to Europe and the occupation of the Thracian Chersonese by his troops had become the signal for the Asiatic war (ii. 277), and could not but see that the occupation of the Tauric Chersonese by the Pontic king ought still less to be tolerated now. The scale was at last turned by the practical reunion of the kingdom of Cappadocia, respecting which, moreover, Nicomedes of Bithynia—who on his part had hoped to gain possession of Cappadocia by another Pseudo-Ariarathes, and now saw that the Pontic pretender excluded his own—would not fail to urge the Roman

Intervention of the senate.

government to intervention. The senate resolved that Mithradates should reinstate the Scythian princes—so far were they driven out of the track of right policy by their negligent style of government, that instead of supporting the Hellenes against the barbarians they had now on the contrary to support the Scythians against those who were half their countrymen. Paphlagonia was declared independent, and the Pseudo-Pylaemenes of Nicomedes as well as Mithradates were directed to evacuate the portions of the country which they had occupied. In like manner the Pseudo-Ariarathes was to retire from Cappadocia, and, as the representatives of the country refused the freedom proffered to it, a king was once more to be appointed by free popular election. The decrees sounded energetic enough; only it was an error, that instead of sending an army they directed the governor of Cilicia, Lucius Sulla, with the handful of troops whom he commanded there against the pirates and robbers, to interfere in Cappadocia. Fortunately the remembrance of the former energy of the Romans defended their interests in the East better than the existing government did, and the energy and versatility of the governor supplied what the senate lacked in both respects. Mithradates kept back and contented himself with inducing Tigranes the great king of Armenia, who held a more free position with reference to the Romans than he did, to send troops to Cappadocia. Sulla quickly collected his forces and the contingents of the Asiatic allies, crossed the Taurus, and drove the governor Gordius along with his Armenian auxiliaries out of Cappadocia. This proved effectual. Mithradates yielded on all points; Gordius had to assume the blame of the Cappadocian troubles, and the Pseudo-Ariarathes disappeared; the election of king, which the Pontic faction had vainly attempted to direct towards Gordius, fell on the estimable Cappadocian Ariobarzanes.

Sulla sent to Cappadocia.

When Sulla in following out his expedition arrived in the region of the Euphrates, in whose waters the Roman standards were then for the first time reflected, the Romans came for the first time into contact with the Parthians, who in consequence of the variance between them and Tigranes had occasion to make approaches to the Romans. On both sides there seemed a feeling that it was of some moment, in this first

First contact between the Romans and the Parthians.

contact between the two great powers of the East and the West, that neither should renounce its claims to the sovereignty of the world; but Sulla, bolder than the Parthian envoy, assumed and maintained in the conference the place of honour between the king of Cappadocia and the Parthian ambassador. Sulla's fame was more increased by this greatly celebrated conference on the Euphrates than by his victories in the East; the Parthian envoy afterwards forfeited his life to his master's resentment. But for the moment this contact had no further result. The other decrees of the senate against Mithradates were carried into effect, Paphlagonia was evacuated, the restoration of the Scythian chieftains was at least promised by Mithradates; the earlier *status quo* in the East seemed to be restored (662). 92.

New aggressions of Mithradates.

So it was alleged; but in fact there was little trace of any real return of the former order of things. Scarce had Sulla left Asia, when Tigranes king of Great Armenia fell upon Ariobarzanes the new king of Cappadocia, expelled him, and reinstated in his stead the Pontic pretender Ariarathes. In Bithynia, where after the death of the old king Nicomedes II. (about 663) his son Nicomedes III. Philopator had been recognized by the people and by the Roman senate as legitimate king, his younger brother Socrates came forward as pretender to the crown and possessed himself of the sovereignty. It was clear that the real author of the Cappadocian as of the Bithynian troubles was no other than Mithradates, although he refrained from taking any official part. Every one knew that Tigranes only acted at his beck; but Socrates also had marched into Bithynia with Pontic troops, and the legitimate king's life was threatened by the assassins of Mithradates. In Paphlagonia the native princes maintained themselves in the interior, but Mithradates commanded the whole coast as far as the Bithynian frontier, having either reoccupied these districts by way of supporting Socrates, or having never really evacuated them. In the Crimea even and the neighbouring countries the Pontic king had no thought of receding, but on the contrary carried his arms farther and farther. 91.

Aquillius sent to Asia.

The Roman government, appealed to for aid by the kings Ariobarzanes and Nicomedes in person, despatched to Asia

Minor in support of Lucius Cassius who was governor there the consular Manius Aquillius, an officer tried in the Cimbrian and Sicilian wars—not, however, as general at the head of an army, but as an ambassador—and directed the Asiatic client states and Mithradates in particular to lend armed assistance in case of need. The result was as it had been two years before. The Roman officer accomplished the commission entrusted to him with the aid of the small Roman corps which the governor of the province of Asia had at his disposal, and the levy of the free Phrygians and Galatians; king Nicomedes and king Ariobarzanes again ascended their tottering thrones; Mithradates, although under various pretexts evading the summons to furnish contingents, gave to the Romans no open resistance; on the contrary the Bithynian pretender Socrates was even put to death by his orders (664).

90.

The state of things intermediate between war and peace.

It was a singular complication. Mithradates was fully convinced that he could do nothing against the Romans in open conflict, and was therefore firmly resolved not to allow matters to come to an open rupture and war with them. Had he not been so resolved, there was no more favourable opportunity for beginning the struggle than the present: just at the time when Aquillius marched into Bithynia and Cappadocia, the Italian insurrection was at the height of its power and might encourage even the weak to declare against Rome; yet Mithradates allowed the year 664 to pass without profiting by the opportunity. Nevertheless he pursued with equal tenacity and activity his plan of extending his territory in Asia Minor. This strange combination of a policy of peace at any price with a policy of conquest was certainly in itself untenable, and was simply a fresh proof that Mithradates did not belong to the class of genuine statesmen; he knew neither how to prepare for conflict like king Philip nor how to submit like king Attalus, but in the true style of a sultan was perpetually fluctuating between a greedy desire of conquest and the sense of his own weakness. But even in this point of view his proceedings can only be understood, when we recollect that Mithradates had become acquainted by twenty years' experience with the Roman policy of that day. He knew very well that the Roman government were far from

90.

desirous of war; that they in fact, looking to the serious danger with which their rule was threatened by the rise of any general of reputation, and with the fresh remembrance of the Cimbrian war and Marius, dreaded war still more if possible than he did himself. He acted accordingly. He was not afraid to demean himself in a way which would have given to any energetic government not fettered by selfish considerations manifold ground and occasion for declaring war; but he carefully avoided any open rupture which would have placed the senate under the necessity of declaring it. As soon as men appeared to be in earnest he drew back, before Sulla as well as before Aquillius; he hoped, doubtless, that he would not always be confronted by energetic generals, that he too would, as well as Jugurtha, fall in with his Scaurus or Albinus. It must be owned that this hope was not without reason; although the very example of Jugurtha had on the other hand shown how foolish it was to confound the bribery of a Roman commander and the corruption of a Roman army with the conquest of the Roman people.

Aquillius brings about war.

Thus matters stood between peace and war, and looked quite as if they would remain long in the same indecisive position. But it was not the intention of Aquillius to allow this; and, as he could not compel his government to declare war against Mithradates, he made use of Nicomedes for that purpose. The latter, who was under the power of the Roman general and was, moreover, his debtor for the accumulated war expenses and for sums promised to the general in person, could not avoid complying with the suggestion that he should begin war with Mithradates. The declaration of war by Bithynia took place; but, even when the vessels of Nicomedes closed the Bosporus against those of Pontus, and his troops marched into the frontier districts of Pontus and laid waste the region of Amastris, Mithradates remained still unshaken in his policy of peace; instead of driving the Bithynians over the frontier, he lodged a complaint with the Roman envoys and asked them either to mediate or to allow him the privilege of self-defence. But he was informed by Aquillius, that he must under all circumstances refrain from war against Nicomedes. That indeed was plain. They had

Nicomedes.

employed exactly the same policy against Carthage; they allowed the victim to be set upon by the Roman hounds and forbade its defending itself against them. Mithradates reckoned himself lost, just as the Carthaginians had done; but, while the Phoenicians yielded from despair, the king of Sinope did the very opposite and assembled his troops and ships. "Does not even he who must succumb," he is reported to have said, "defend himself against the robber?" His son Ariobarzanes received orders to advance into Cappadocia; a message was sent once more to the Roman envoys to inform them of the step to which necessity had driven the king, and to demand their ultimatum. It was to the effect which was to be anticipated. Although neither the Roman senate nor king Mithradates nor king Nicomedes had desired the rupture, Aquillius desired it and war ensued (end of 665).

89.

Preparations of Mithradates.

Mithradates prosecuted the political and military preparations for the passage of arms thus forced upon him with all his characteristic energy. First of all he drew closer his alliance with Tigranes king of Armenia, and obtained from him the promise of an auxiliary army which was to march into western Asia and to take possession of the soil there for king Mithradates and of the moveable property for king Tigranes. The Parthian king, offended by the haughty carriage of Sulla, though not exactly coming forward as an antagonist to the Romans, did not act as their ally. To the Greeks the king endeavoured to present himself in the character of Philip and Perseus, as the defender of the Greek nation against the alien yoke of the Romans. Pontic envoys were sent to the king of Egypt and to the last remnant of free Greece, the league of the Cretan cities, and adjured those for whom Rome had already forged her chains to rise now at the last moment and save Hellenic nationality; the attempt was in the case of Crete at least not wholly in vain, and numerous Cretans took service in the Pontic army. Hopes were entertained that the lesser and least of the protected states—Numidia, Syria, the Hellenic republics—would successively rebel, and that the provinces would revolt, particularly western Asia, the victim of unbounded oppression. Efforts were made to excite a Thracian rising, and even to arouse Macedonia to

revolt. Piracy, which even previously was flourishing, was now everywhere let loose as a most welcome ally, and with alarming rapidity squadrons of corsairs, calling themselves Pontic privateers, filled the Mediterranean far and wide. With eagerness and delight accounts were received of the commotions among the Roman burgesses, and of the Italian insurrection subdued yet far from extinguished. No direct relations, however, were formed with the discontented and the insurgents in Italy; except that a foreign corps armed and organized in the Roman fashion was created in Asia, the flower of which consisted of Roman and Italian refugees. Forces like those of Mithradates had not been seen in Asia since the Persian wars. The statements that, leaving out of account the Armenian auxiliary army, he took the field with 250,000 infantry and 40,000 cavalry, and that 300 Pontic decked and 100 open vessels put to sea, seem not too exaggerated in the case of a warlike sovereign who had at his disposal the numberless inhabitants of the steppes. His generals, particularly the brothers Neoptolemus and Archelaus, were experienced and cautious Greek captains; among the soldiers of the king there was no want of brave men who despised death; and the armour glittering with gold and silver and the rich dresses of the Scythians and Medes mingled gaily with the bronze and steel of the Greek troopers. No unity of military organization, it is true, bound together these party-coloured masses; the army of Mithradates was just one of those unwieldy Asiatic war-machines, which had so often already—on the last occasion exactly a century before at Magnesia—succumbed to a superior military organization; but still the East was in arms against the Romans, while in the western half of the empire also matters looked far from peaceful.

Weak counter-preparations of the Romans.

However much it was in itself a political necessity for Rome to declare war against Mithradates, yet the particular moment was as unhappily chosen as possible; and for this reason it is very probable that Manius Aquillius brought about the rupture between Rome and Mithradates at this precise time primarily from a selfish view to his own interest. For the moment they had no other troops at their disposal in Asia than the small Roman division under Lucius Cassius

and the militia of western Asia, and, owing to the military and financial distress in which they were placed at home in consequence of the insurrectionary war, a Roman army could not in the most favourable case land in Asia before the
88. summer of 666. Hitherto the Roman magistrates there had a difficult position; but they hoped to protect the Roman province and to be able to hold their ground as they stood—the Bithynian army under king Nicomedes in its position taken up in the previous year in the Paphlagonian territory between Amastris and Sinope, and the divisions under Lucius Cassius, Manius Aquillius, and Quintus Oppius, farther back in the Bithynian, Galatian, and Cappadocian territories, while the Bithyno-Roman fleet continued to blockade the Bosporus.

Mithradtes occupies Asia Minor.

[88. In the beginning of the spring of 666 Mithradates assumed the offensive. On a tributary of the Halys, the Amnias (near the modern Tesch Köpri), the Pontic vanguard of cavalry and light-armed troops encountered the Bithynian army, and notwithstanding its very superior numbers so broke it at the first onset that the beaten army dispersed and the camp and military chest fell into the hands of the victors. It was mainly to Neoptolemus and Archelaus that the king was indebted for this brilliant success. The far more wretched Asiatic militia, stationed farther back, thereupon gave themselves up as vanquished, even before they encountered the enemy; when the generals of Mithradates approached them, they dispersed. A Roman division was defeated in Cappadocia; Cassius sought to keep the field in Phrygia with the militia, but he discharged it again without venturing on a battle, and threw himself with his few trustworthy troops into the towns on the upper Maeander, particularly into Apamea. Oppius in like manner evacuated Pamphylia and shut himself up in the Phrygian Laodicea; Aquillius was overtaken while retreating at the Sangarius in the Bithynian territory, and so totally defeated that he lost his camp and had to seek refuge at Pergamus in the Roman province; the latter also was soon overrun, and Pergamus itself fell into the hands of the king, as likewise the Bosporus and the ships that were there. After each victory Mithradates had dismissed all the prisoners belonging to the militia

of Asia Minor, and had neglected no step to raise to a higher pitch the national sympathies that were from the first directed towards him. Now the whole country as far as the Maeander was with the exception of a few fortresses in his power; and news at the same time arrived, that a new revolution had broken out at Rome, that the consul Sulla destined to act against Mithradates had instead of embarking for Asia marched on Rome, that the most celebrated Roman generals were fighting battles with each other in order to settle to whom the chief command in the Asiatic war should belong. Rome seemed zealously employed in the work of self-destruction: it is no wonder that, though even now minorities everywhere adhered to Rome, the great body of the natives of Asia Minor joined the Pontic king. Hellenes and Asiatics united in the rejoicing which welcomed the deliverer; it was usual to compliment the king, in whom as in the divine conqueror of the Indians Asia and Hellas once more found a common meeting-point, under the name of the new Dionysus. The cities and islands sent messengers to meet him, wherever he went, and to invite "the delivering god" to visit them; and in festal attire the citizens flocked forth in front of their gates to receive him. Several places delivered the Roman officers sojourning among them in chains to the king; Laodicea thus surrendered Quintus Oppius, the commandant of the town, and Mytilene in Lesbos the consular Manius Aquillius.* The whole fury of the barbarian, who gets the man before whom he has trembled into his power, discharged itself on the unhappy author of the war. The aged man was led throughout Asia Minor, sometimes on foot chained to a powerful mounted Bastarnian, sometimes bound on an ass and proclaiming his own name; and, when at length the pitiful spectacle again arrived at the royal quarters in Pergamus, by the king's orders molten gold was poured down his throat—in order to satiate his avarice, which had really occasioned the war—till he expired in torture.

Anti-Roman movements there.

But the king was not content with this savage mockery,

* Retribution came upon the authors of the arrest and surrender of Aquillius twenty-five years afterwards, when after Mithradates' death his son Pharnaces handed them over to the Romans.

Orders issued from Ephesus for a general massacre.

which alone suffices to erase the name of its author from the roll of true nobility. From Ephesus king Mithradates issued orders to all the governors and cities dependent on him to put to death on one and the same day all Italians residing within their bounds, whether free or slaves, without distinction of sex or age, and on no account, under severe penalties, to aid any of the proscribed to escape; to cast forth the corpses of the slain as a prey to the birds; to confiscate their property and to hand over one half of it to the murderers, and the other half to the king. The horrible orders were—excepting in a few districts, such as the island of Cos—punctually executed, and eighty, or according to other accounts one hundred and fifty, thousand—if not innocent, at least defenceless—men, women, and children were slaughtered in cold blood in one day in Asia Minor; a fearful execution, in which the good opportunity of getting rid of debts and the Asiatic servile willingness to perform any executioner's office at the bidding of the sultan had at least as much part as the comparatively noble feeling of revenge. In a political point of view this measure was not only without any rational object—for its financial purpose might have been attained without this bloody edict, and the natives of Asia Minor were not to be driven into warlike zeal even by the consciousness of the most blood-stained guilt—but even opposed to the king's designs, for on the one hand it compelled the Roman senate, so far as it was still capable of energy at all, to an energetic prosecution of the war, and on the other hand it struck at not the Romans merely, but the king's natural allies as well, the non-Roman Italians. This Ephesian massacre was altogether a mere meaningless act of brutally blind revenge, which obtains a false semblance of grandeur simply through the colossal proportions in which the character of sultanic rule was here displayed.

Organization of the conquered provinces.

The king's views altogether grew high; he had begun the war from despair, but the unexpectedly easy victory and the non-arrival of the dreaded Sulla occasioned a transition to the most highflown hopes. He made western Asia his home; Pergamus the seat of the Roman governor became his new capital, the old kingdom of Sinope was handed over to the king's son Mithradates to be administered as a viceroyship;

Cappadocia, Phrygia, Bithynia were organized as Pontic satrapies. The grandees of the empire and the king's favourites were loaded with rich gifts and fiefs, and not only were the arrears of taxes remitted, but exemption from taxation for five years was promised, to all the communities—a measure which was as much a mistake as the massacre of the Romans, if the king expected thereby to secure the fidelity of the inhabitants of Asia Minor.

The king's treasury was, no doubt, copiously replenished otherwise by the immense sums which accrued from the property of the Italians and other confiscations; for instance in Cos alone 800 talents (£195,000) which the Jews had deposited there were carried off by Mithradates. The northern portion of Asia Minor and most of the islands belonging to it were in the king's power; except the petty Paphlagonian dynasts, there was hardly a district which still adhered to Rome; the whole Aegean Sea was commanded by his fleets. The south-west alone, the city-leagues of Caria and Lycia and the city of Rhodes, resisted him. In Caria, no doubt, Stratonicea was reduced by force of arms; but Magnesia on the Macander successfully withstood a severe siege, in which Mithradates' ablest officer Archelaus was defeated and wounded. Rhodes, the asylum of the Romans who had escaped from Asia with the governor Lucius Cassius among them, was assailed on the part of Mithradates by sea and land with immense superiority of force. But his sailors, courageously as they did their duty under the eyes of the king, were awkward novices, and so Rhodian squadrons vanquished those of Pontus four times as strong and returned home with captured vessels. By land also the siege made no progress; after a part of the works had been destroyed, Mithradates abandoned the enterprise, and the important island as well as the mainland opposite remained in the hands of the Romans.

Pontic invasion of Europe.

But not only was the siatic province occupied by Mithradates almost without defending itself, chiefly through the Sulpician revolution breaking out at a most unfavourable time; Mithradates even directed an attack against Europe. Already since 662 the neighbours of Macedonia on her northern and eastern frontier had been renewing their 92.

90. 89. Predatory inroads of the Thracians.

incursions with remarkable ardour and perseverance; in the years 664, 665 the Thracians overran Macedonia and all Epirus and plundered the temple of Dodona. Still more singular was the circumstance, that with these movements was combined a renewed attempt to place a pretender on the Macedonian throne in the person of one Euphenes. Mithradates, who by way of the Crimea maintained connections with the Thracians, was hardly a stranger to all these events. The praetor Gaius Sentius defended himself, it is true, against these intruders with the aid of the Thracian Dentheletae; but it was not long before mightier opponents came against him. Mithradates, carried away by his successes, had formed the bold resolution that he would, like Antiochus, bring the war for the sovereignty of Asia to a decision in Greece, and had by land and sea directed thither the flower of his troops. His son Ariarathes penetrated from Thrace into the weakly-defended Macedonia, subduing the country as he advanced and parcelling it into Pontic satrapies. Abdera and Philippi became the principal bases for the operations of the Pontic arms in Europe. The Pontic fleet, commanded by Mithradates' best general Archelaus, appeared in the Aegean Sea, where scarce a Roman sail was to be found. Delos, the emporium of the Roman commerce in those waters, was occupied and nearly 20,000 men, mostly Italians, were massacred there; Euboea suffered a similar fate; all the islands to the east of the Malean promontory were soon in the hands of the enemy; they might proceed to attack the mainland itself. The assault, no doubt, which the Pontic fleet made from Euboea on the important Demetrias, was repelled by Bruttius Sura, the brave lieutenant of the governor of Macedonia, with his handful of troops and a few vessels hurriedly collected, and he even occupied the island of Sciathus; but he could not prevent the enemy from establishing himself in Greece proper.

Thrace and Macedonia occupied by the Pontic armies.

Pontic fleet in the Aegean.

The Pontic proceedings in Greece.

There Mithradates carried on his operations not only by arms, but at the same time by national propagandism. His chief instrument for Athens was one Aristion, by birth an Attic slave, by profession formerly a teacher of the Epicurean philosophy, now a minion of Mithradates; an excellent

master of persuasion, who by the brilliant career which he pursued at court knew how to dazzle the mob, and gravely to assure them that help was already on the way to Mithradates from Carthage, which had been for about sixty years lying in ruins. These addresses of the new Pericles and the promise of Mithradates to restore to the Athenians the island of Delos which they had formerly possessed were so far effectual that, while the few persons possessed of judgment escaped from Athens, the mob and one or two literati whose heads were turned formally renounced the Roman rule. So the ex-philosopher became a despot who, supported by his bands of Pontic mercenaries, commenced an infamous and bloody rule; and the Piraeeus was converted into a Pontic harbour. As soon as the troops of Mithradates gained a footing on the Greek continent, most of the small free states—the Achaeans, Laconians, Boeotians—as far as Thessaly joined them. Sura, after having drawn some reinforcements from Macedonia, advanced into Boeotia to bring help to the besieged Thespiae, and engaged in conflicts with Archelaus and Aristion during three days at Chaeronea; but they led to no decision and Sura was obliged to retire when the Pontic reinforcements from the Peloponnesus approached (end of 666, beg. of 667). 88. 87.

So commanding was the position of Mithradates, particularly by sea, that an embassy of Italian insurgents invited him to make an attempt to land in Italy; but their cause was already by that time lost, and the king rejected the suggestion.

Position of the Romans.

The position of the Roman government began to be critical. Asia Minor and Hellas were wholly, Macedonia to a considerable extent, in the enemy's hands; by sea the Pontic flag ruled without a rival. Then there was the Italian insurrection, which, though baffled on the whole, still held the undisputed command of wide districts of Italy; the barely hushed revolution, which threatened every moment to break out afresh and more formidably; and, lastly, the alarming commercial and monetary crisis (p. 271) occasioned by the internal troubles of Italy and the enormous losses of the Asiatic capitalists, and the want of trustworthy troops. The government would have required three armies, to keep

down the revolution in Rome, to crush completely the insurrection in Italy, and to wage war in Asia; it had but one, that of Sulla; for the northern army was, under the untrustworthy Gnaeus Strabo, simply an additional embarrassment. Sulla had to choose which of these three tasks he would undertake; he decided, as we have seen, for the Asiatic war. It was no trifling matter—we should perhaps say, it was a great act of patriotism—that in this conflict between the general interest of his country and the special interest of his party the former retained the ascendancy; and that Sulla, in spite of the dangers which his removal from Italy involved for his constitution and his party, landed in the spring of
87. 667 on the coast of Epirus. But he came not, as Roman
Sulla's landing. commanders-in-chief had been wont to make their appearance in the East. That his army of five legions or of at most 30,000 men,* was little stronger than an ordinary consular army, was the least element of difference. Formerly in the Eastern wars a Roman fleet had never been wanting, and had in fact without exception commanded the sea; Sulla, sent to reconquer two continents and the islands of the Aegean, arrived without a single vessel of war. Formerly the general had brought with him a full chest and drawn the greatest portion of his supplies by sea from home; Sulla came with empty hands—for the sums raised with
88. difficulty for the campaign of 666 were expended in Italy—and found himself exclusively left to depend on requisitions. Formerly the general had found his only opponent in the enemy's camp, and since the close of the struggle between the orders political factions had without exception been united in opposing the public foe; but Romans of note fought under the standards of Mithradates, large districts of Italy desired to enter into alliance with him, and it was at least doubtful whether the democratic party would follow the glorious example that Sulla had set before it, and keep truce with him so long as he was fighting against the Asiatic king. But the vigorous general, who had to contend with all these embarrassments, was not accustomed to trouble himself about

* We must recollect that after the outbreak of the Social War the legion had at least not more than half the number of men which it had previously, as it was no longer accompanied by Italian contingents.

more remote dangers before finishing the task immediately in hand. When his proposals of peace addressed to the king, which substantially amounted to a restoration of the state of matters before the war, met with no acceptance, he advanced just as he had landed, from the harbours of Epirus to Boeotia, defeated the generals of the enemy Archelaus and Aristion there at Mount Tilphossium, and after that victory possessed himself almost without resistance of the whole Grecian mainland with the exception of the fortresses of Athens and the Piraeeus, into which Aristion and Archelaus had thrown themselves, and which he failed to carry by a *coup de main*. A Roman division under Lucius Hortensius occupied Thessaly and made incursions into Macedonia; another under Munatius stationed itself before Chalcis, to keep off the enemy's corps under Neoptolemus in Euboea; Sulla himself formed a camp at Eleusis and Megara, from which he commanded Greece and the Peloponnesus, and prosecuted the siege of the city and harbour of Athens. The Hellenic cities, governed as they always were by their immediate fears, submitted unconditionally to the Romans, and were glad when they were allowed to ransom themselves from more severe punishment by supplying provisions and men and paying fines.

Greece occupied.

The sieges in Attica advanced less rapidly. Sulla found himself compelled to prepare all sorts of heavy besieging implements for which the trees of the Academy and the Lyceum had to supply the timber. Archelaus conducted the defence with equal vigour and judgment; he armed the crews of his vessels, and thus reinforced repelled the attacks of the Romans with superior strength and made frequent and not seldom successful sorties. The Pontic army of Dromichaetes advancing to the relief of the city was defeated under the walls of Athens by the Romans after a severe struggle, in which Sulla's brave legate Lucius Licinius Murena particularly distinguished himself; but the siege did not on that account advance more rapidly. From Macedonia, where the Cappadocians had meanwhile definitely established themselves, plentiful and regular supplies arrived by sea, which Sulla was not in a condition to cut off from the harbour-fortress; in Athens no doubt provisions were beginning to fail, but from the proximity of the two for-

Protracted siege of Athens and the Piraeeus.

tresses Archelaus was enabled to make various attempts to throw quantities of grain into Athens, which were not wholly
87-86. unsuccessful. So the winter of 667–8 passed away tediously without result. As soon as the season allowed, Sulla threw himself with vehemence on the Piraeeus; he in fact succeeded by missiles and mines in making a breach in part of the strong walls of Pericles, and immediately the Romans advanced to the assault; but it was repulsed, and on its being renewed crescent-shaped entrenchments were found constructed behind the fallen walls, from which the invaders found themselves assailed on three sides with missiles and compelled to retire. Sulla then abandoned the siege, and contented himself with a blockade. In the meanwhile the provisions in Athens were wholly exhausted; the garrison attempted to procure a capitulation, but Sulla sent back their fluent envoys with the hint that he stood before them not as a student but as a general, and would accept only unconditional surrender. When Aristion, well knowing what fate was in store for him, delayed compliance, the ladders were applied and the city, hardly any longer defended, was
Athens[86. falls. taken by storm (1 March 668). Aristion threw himself into the Acropolis, where he soon afterwards surrendered. The Roman general left the soldiery to murder and plunder in the captured city and the more considerable ringleaders of the revolt to be executed; but the city itself obtained back from him its liberty and its possessions—even Delos, which had just been presented to it by Mithradates—and was thus once more saved by its illustrious dead.

Critical position of Sulla. The Epicurean schoolmaster had thus been vanquished; but the position of Sulla remained in the highest degree difficult, and even desperate. He had now been more than a year in the field without having advanced a step worth mentioning; a single port mocked all his exertions, while Asia was utterly left to itself, and the conquest of Macedonia by Mithradates' lieutenants had recently been completed by
Want of a fleet. the capture of Amphipolis. Without a fleet—it was becoming daily more apparent—it was not only impossible to secure his communications and supplies in presence of the ships of the enemy and the numerous pirates, but impossible to recover even the Piraeeus, to say nothing of Asia

and the islands; and yet it was difficult to see how ships of war were to be got. As early as the winter of 667–8 Sulla had despatched one of his ablest and most expert officers, Lucius Licinius Lucullus, into the eastern waters, to raise ships there if possible. Lucullus put to sea with six open boats, which he had borrowed from the Rhodians and other small communities; he himself merely by an accident escaped from a piratic squadron, which captured most of his boats; deceiving the enemy by changing his vessels he arrived by way of Crete and Cyrene at Alexandria; but the Egyptian court rejected his request for the support of ships of war with equal courtesy and decision. Hardly anything illustrates so clearly as does this fact the sad decay of the Roman state, which had once been able gratefully to decline the offer of the kings of Egypt to assist the Romans with all their naval force, and now itself seemed to the Alexandrian statesmen bankrupt. To all this fell to be added the financial embarrassment; Sulla had already been obliged to empty the treasuries of the Olympian Zeus, of the Delphic Apollo, and of the Epidaurian Asklepios, for which the gods were compensated by the moiety, confiscated by way of penalty, of the Theban territory. But far worse than all this military and financial perplexity was the reaction of the political revolution in Rome; the rapid, sweeping, violent accomplishment of which had far surpassed the worst apprehensions. The revolution conducted the government in the capital; Sulla had been deposed, his Asiatic command had been entrusted to the democratic consul Marcus Valerius Flaccus, who might be daily looked for in Greece. The soldiers had no doubt adhered to Sulla, who made every effort to keep them in good humour; but what could be expected, when money and supplies were wanting, when the general was deposed and proscribed, when his successor was on the way, and, in addition to all this, the war against the tough antagonist who commanded the sea was protracted without prospect of a close? 87-86.

Pontic armies enter Greece.

King Mithradates undertook to deliver his antagonist from his perilous position. He it was, to all appearance, who disapproved the defensive system of his generals and sent orders to them to vanquish the enemy with the utmost

87. speed. As early as 667 his son Ariarathes had started from Macedonia to combat Sulla in Greece proper; only the sudden death, which overtook the prince on the march at the Tisaean promontory in Thessaly, had at that time led to the abandonment of the expedition. His successor Taxiles now appeared
86. (668), driving before him the Roman corps stationed in Thessaly, with an army of, it is said, 100,000 infantry and
Evacuation of the Piraeeus. 10,000 cavalry at Thermopylae. Dromichaetes joined him. Archelaus also—compelled, apparently, not so much by Sulla's arms as by his master's orders—evacuated the Piraeeus first partially and then entirely, and joined the Pontic main army in Boeotia. Sulla, after having given orders that the Piraeeus with all its greatly admired fortifications should be destroyed, followed the Pontic army, in the hope of being able to fight a pitched battle before the arrival of Flaccus. In vain Archelaus advised that they should avoid such a battle, but should keep the sea and the coast occupied and the enemy in suspense. Now just as formerly under Darius and Antiochus, the masses of the Orientals, like animals terrified in the midst of a fire, flung themselves hastily and blindly into battle; and did so on this occasion more foolishly than ever, since the Asiatics might perhaps have had to wait but a few months in order to be the spectators of a battle between Sulla and Flaccus.

Battle of Chaeronea. 86. In the plain of the Cephissus not far from Chaeronea, in March 668, the armies met. Even including the division driven back from Thessaly, which had succeeded in accomplishing its junction with the Roman main army, and including the Greek contingents, the Roman army found itself opposed to a foe three times as strong and particularly to a cavalry far superior and from the nature of the field of battle very dangerous, against which Sulla found it necessary to protect his flanks by digging trenches, while in front he caused a chain of palisades to be introduced between his first and second lines for protection against the enemy's war-chariots. When the war-chariots rolled on to open the battle, the first line of the Romans withdrew behind this row of stakes: the chariots, rebounding from it and scared by the Roman slingers and archers, threw themselves on their own line and carried confusion both into the Macedonian

phalanx and into the corps of the Italian refugees. Archelaus brought up in haste his cavalry from both flanks and sent it to engage the enemy, with a view to gain time for rearranging his infantry; it charged with great fury and broke through the Roman ranks; but the Roman infantry rapidly formed in close masses and courageously withstood the horsemen assailing them on every side. Meanwhile Sulla himself on the right wing led his cavalry against the exposed flank of the enemy; the Asiatic infantry gave way before it was even properly engaged, and its giving way carried confusion also into the masses of the cavalry. A general attack of the Roman infantry, which through the wavering demeanour of the hostile cavalry gained time to breathe, decided the victory. The closing of the gates of the camp, which Archelaus ordered to check the flight, only increased the slaughter, and when the gates at length were opened, the Romans entered at the same time with the Asiatics. It is said that Archelaus brought not a twelfth part of his force in safety to Chalcis; Sulla followed him to the Euripus; he was not in a position to cross that narrow arm of the sea.

Slight effect of the victory.

It was a great victory, but the results were trifling, partly because of the want of a fleet, partly because the Roman conqueror instead of pursuing the vanquished was under the necessity in the first instance of protecting himself against his own countrymen. The sea was still exclusively covered by Pontic squadrons, which now showed themselves even to the westward of the Malean promontory; even after the battle of Chaeronea Archelaus landed troops on Zacynthus and made an attempt to establish himself on that island. Moreover Lucius Flaccus had in the meanwhile actually landed with two legions in Epirus, not without having sustained severe loss on the way from storms and from the war-vessels of the enemy cruising in the Adriatic; his troops were already in Thessaly; Sulla had in the first instance to turn thither. The two Roman armies encamped over against each other at Melitaea on the northern slope of Mount Othrys; a collision seemed inevitable. But Flaccus, after he had opportunity of convincing himself that Sulla's soldiers were by no means inclined to betray their victorious leader to the

Sulla and Flaccus.

totally unknown democratic commander-in-chief, but that on the contrary his own advanced guard began to desert to Sulla's camp, evaded a conflict to which he was in no respect equal, and set out towards the north, with the view of getting through Macedonia and Thrace to Asia and there paving the way for further results by subduing Mithradates. That Sulla should have allowed his weaker opponent to depart without hindrance, and instead of following him should have returned to Athens, where he seems to have passed the winter of 668-9, is in a military point of view surprising. We may suppose perhaps that in this also he was guided by political motives, and that he was sufficiently moderate and patriotic in his views willingly to forego a victory over his countrymen at least so long as they had still the Asiatics to deal with, and to find the most tolerable solution of the unhappy dilemma in allowing the armies of the revolution in Asia and of the oligarchy in Europe to fight against the common foe.

86-85.

Second[85. Pontic army sent to Greece.

In the spring of 669 there was again fresh work in Europe. Mithradates, who continued his preparations indefatigably in Asia Minor, had sent an army not much less than that which had been extirpated at Chaeronea, under Dorylaus to Euboea; thence it had, after a junction with the remains of the army of Archelaus, passed over the Euripus to Boeotia. The Pontic king, who judged of what his army could do by the standard of victories over the Bithynian and Cappadocian militia, did not understand the unfavourable turn which things had taken in Europe; the circles of the courtiers were already whispering as to the treason of Archelaus; peremptory orders were issued to fight a second battle at once with the new army, and not to fail on this occasion in annihilating the Romans. The master's will was carried out, if not in conquering, at least in fighting. The Romans and Asiatics met once more in the plain of the Cephissus, near Orchomenus. The numerous and excellent cavalry of the latter flung itself impetuously on the Roman infantry, which began to waver and give way: the danger was so urgent, that Sulla seized a standard and advancing with his adjutants and orderlies against the enemy called out with a loud voice to the soldiers that, if they should be asked at home where they had abandoned their general, they might reply—at Orchomenus. This had

Battle of Orchomenus.

its effect; the legions rallied and vanquished the enemy's horse, after which the infantry were overthrown with little difficulty. On the following day the camp of the Asiatics was surrounded and stormed; far the greatest portion of them fell or perished in the Copaic marshes; a few only, Archelaus among the rest, reached Euboea. The Boeotian communities had severely to pay for their renewed revolt from Rome, some of them even to annihilation. Nothing opposed the advance into Macedonia and Thrace; Philippi was occupied, Abdera was voluntarily evacuated by the Pontic garrison, the European continent in general was cleared of the enemy. At the end of the third year of the war (669) Sulla was able to take up winter quarters in Thessaly, with a view to begin the Asiatic campaign in the spring of 670,* for which purpose he gave orders to build ships in the Thessalian ports. 85. 84.

Reaction in Asia Minor against Mithradates.

Meanwhile the circumstances of Asia Minor also had undergone a material change. If king Mithradates had once come forward as the liberator of the Hellenes, if he had introduced his rule with the recognition of civic independence and with remission of taxes, their brief rejoicing had been but too rapidly and too bitterly followed by disappointment. He had very soon emerged in his true character, and had begun to exercise a despotism far surpassing the tyranny of the Roman governors—a despotism which drove even the patient inhabitants of Asia Minor to open revolt. The sultan again resorted to the most violent expedients. His decrees granted independence to the places which turned to him, citizenship to the *metoeci*, full remission of debts to the debtors, lands to those that had none, freedom to the slaves; nearly 15,000 such manumitted slaves fought in the army of Archelaus. The most fearful scenes were

* The chronology of these events is, like all their details, enveloped in an obscurity which investigation is able to dispel, at most, only partially. That the battle of Chaeronea took place, if not on the same day as the storming of Athens (Pausan. i. 20), at any rate soon afterwards, perhaps in March 668, is tolerably certain. That the succeeding Thessalian and the second Boeotian campaign took up not merely the remainder of 668 but also the whole of 669, is in itself probable and is rendered still more so by the fact that Sulla's enterprises in Asia are not sufficient to fill more than a single campaign. Licinianus also appears to indicate that Sulla returned to Athens for the winter of 668-669 and there took in hand the work of investigation and punishment; after which he relates the battle of Orchomenus. The crossing of Sulla to Asia has accordingly been placed not in 669, but in 670. 86-85. 85. 84.

the result of this high-handed subversion of all existing order. The most considerable mercantile cities, Smyrna, Colophon, Ephesus, Tralles, Sardes, closed their gates against the king's governors or put them to death, and declared for Rome.* On the other hand the king's lieutenant Diodorus, a philosopher of note like Aristion, of another school, but equally available for the worst of services, under the instructions of his master caused the whole town-council of Adramyttium to be put to death. The Chians, who were suspected of an inclination to Rome, were fined in the first instance in 2000 talents (£480,000) and, when the payment was found not correct, they were *en masse* put on board ship and deported in chains under the charge of their own slaves to the coast of Colchis, while their island was occupied with Pontic colonists. The king gave orders that the chiefs of the Celts in Asia Minor should all be put to death along with their wives and children in one day, and that Galatia should be converted into a Pontic satrapy. Most of these bloody edicts were carried into effect either at Mithradates' own head-quarters or in Galatia, but the few who escaped placed themselves at the head of their powerful tribes and expelled Eumachus, the governor of the king, out of their bounds. It may readily be conceived that such a king would be pursued by the daggers of assassins; sixteen hundred men were condemned to death by the royal courts of inquisition as having been implicated in such conspiracies.

Lucullus and the fleet on the Asiatic coast.

While the king was thus by his suicidal fury provoking his temporary subjects to rise in arms against him, he was at the same time hard pressed by the Romans in Asia, both by sea and by land. Lucullus, after the failure of his attempt to lead forth the Egyptian fleet against Mithradates, had with better success repeated his efforts to procure vessels of war in the Syrian maritime towns, and reinforced his nascent fleet in the ports of Cyprus, Pamphylia, and Rhodes till he found himself strong enough to proceed to

* The resolution of the citizens of Ephesus to this effect has recently been found (Waddington, Additions to Lebas, *Inscr.* iii. 136 a). They had, according to their own statement, fallen into the power of Mithradates "the king of Cappadocia," being frightened by the magnitude of his forces and the suddenness of his attack; but, when opportunity offered, they declared war against him "for the rule (ἡγεμονία) of the Romans and the common weal."

the attack. He dexterously avoided the measuring himself against superior forces and yet obtained no inconsiderable advantages. The Cnidian island and peninsula were occupied by him, Samos was assailed, Colophon and Chios were wrested from the enemy.

Flaccus arrives in Asia. 86.

Meanwhile Flaccus had proceeded with his army through Macedonia and Thrace to Byzantium, and thence, passing the straits, had reached Chalcedon (end of 668). There a military insurrection broke out against the general, ostensibly because he embezzled the spoil from the soldiers. The soul of it was one of the chief officers of the army, a man whose name had become a proverb in Rome for a true mob-orator, Gaius Flavius Fimbria, who, after having differed with his commander-in-chief, transferred the demagogic practices which he had begun in the Forum to the camp. Flaccus was deposed by the army and soon afterwards put to death at Nicomedia, not far from Chalcedon; Fimbria was installed by decree of the soldiers in his stead. As a matter of course he allowed his troops every indulgence; in the friendly Cyzicus, for instance, the citizens were ordered to surrender all their property to the soldiers on pain of death, and by way of warning example two of the most respectable citizens were at once executed. Nevertheless in a military point of view the change of commander-in-chief was a gain; Fimbria was not, like Flaccus, an incapable general, but energetic and talented. At Miletopolis (on the Rhyndacus to the west of Brussa) he defeated the younger Mithradates, who as governor of the satrapy of Pontus had marched against him, completely in a nocturnal assault, and by this victory opened his way to Pergamus, the capital formerly of the Roman province and now of the Pontic king, whence he dislodged the king and compelled him to take flight to the port of Pitane not far off, with the view of there embarking. Just at that moment Lucullus appeared in those waters with his fleet; Fimbria adjured him to render assistance so that he might be enabled to capture the king. But the Optimate was stronger in Lucullus than the patriot; he sailed onward and the king escaped to Mitylene. The situation of Mithradates was even thus sufficiently embarrassed. At the end of 669 Europe was lost, Asia Minor

Fimbria.

Fimbria's victory at Miletopolis.

Perilous position of [85.

Mithradates.

was partly in rebellion against him, partly occupied by a Roman army; and he was himself threatened by the latter in his immediate vicinity. The Roman fleet under Lucullus had maintained its position on the Trojan coast by two successful naval engagements at the promontory of Lectum and at the island of Tenedos; it was joined there by the ships which had in the meanwhile been built by Sulla's orders in Thessaly, and by its position commanding the Hellespont it secured to the general of the Roman senatorial army a safe and easy passage next spring to Asia.

Negotiations for peace.

Mithradates attempted to negotiate. Under other circumstances no doubt the author of the edict for the Ephesian massacre could never have cherished the hope of being admitted at all to terms of peace with Rome; but amidst the internal convulsions of the Roman republic, when the ruling government had declared the general sent against Mithradates an outlaw and subjected his partisans at home to the most fearful persecutions, when one Roman general opposed the other and yet both stood opposed to the same foe, he hoped that he should be able to obtain not merely a peace, but a favourable peace. He had the choice of applying to Sulla or to Fimbria; he caused negotiations to be instituted with both, yet it seems from the first to have been his design to come to terms with Sulla, who, at least from the king's point of view, seemed decidedly superior to his rival. His general Archelaus, as instructed by his master, asked Sulla to cede Asia to the king and to expect in return the king's aid against the democratic party in Rome. But Sulla, cool and clear as ever, while urgently desiring a speedy settlement of Asiatic affairs on account of the position of things in Italy, estimated the advantages of the Cappadocian alliance for the war impending over him in Italy as very slight, and was altogether too much of a Roman to consent to so disgraceful and so injurious a concession.

Preliminaries of Delium. 85–84.

In the peace conferences, which took place in the winter of 669–70, at Delium on the coast of Boeotia opposite to Euboea, Sulla distinctly refused to cede even a foot's-breadth of land, but, with good reason faithful to the old Roman custom of not increasing after victory the demands made before battle, did not go beyond the conditions previously laid down.

He required the restoration of all the conquests made by the king and not wrested from him again—Cappadocia, Paphlagonia, Galatia, Bithynia, Asia Minor and the islands—the surrender of prisoners and deserters, the delivering up of the eighty war-vessels of Archelaus to reinforce the still insignificant Roman fleet; lastly, pay and provisions for the army and the very moderate sum of 3000 talents (£720,000) as indemnity for the expenses of the war. The Chians carried off to the Black Sea were to be sent home, the families of the Macedonians who were friendly to Rome and had become refugees were to be restored, and a number of war-vessels were to be delivered to the cities in alliance with Rome. Respecting Tigranes, who in strictness ought likewise to have been included in the peace, there was silence on both sides, since neither of the contracting parties cared for the endless further arrangements which would be occasioned by making him a party. The king thus retained the state of possession which he had before the war, nor was he subjected to any humiliation affecting his honour.* Archelaus, clearly perceiving that much comparatively beyond expectation was obtained and that more was not obtainable, concluded the preliminaries and an armistice on these conditions, and withdrew the troops from the places which the Asiatics still possessed in Europe.

New difficulties.

But Mithradates rejected the peace and demanded at least that the Romans should not insist on the surrender of the war-vessels and should concede to him Paphlagonia; while he at the same time asserted that Fimbria was ready to grant him far more favourable conditions. Sulla, offended by this placing of his offers on an equal footing with those of a private adventurer, and having already gone to the utmost measure of concession, broke off the negotiations. He had employed the interval to reorganize Macedonia and to chastise the Dardani, Sinti, and Maedi, in doing which he at once procured booty for his army and drew nearer Asia; for he

* The statement that Mithradates in the peace stipulated for impunity to the towns which had embraced his side (Memnon, 35) seems, looking to the character of the victor and of the vanquished, far from credible, and it is not given by Appian or by Licinianus. They neglected to draw up the treaty of peace in writing, and this neglect afterwards left room for various misrepresentations.

Sulla proceeds to Asia.

was resolved at any rate to go thither, in order to come to a reckoning with Fimbria. He now at once put his legions stationed in Thrace as well as his fleet in motion towards the Hellespont. Then at length Archelaus succeeded in wringing from his obstinate master a reluctant consent to the treaty; for which he was subsequently regarded with an evil eye at court as the author of the injurious peace, and even accused of treason, so that some time afterwards he found himself compelled to leave the country and to take refuge with the Romans, who readily received him and loaded him with honours. The Roman soldiers also murmured; their disappointment doubtless at not receiving the expected spoil of Asia probably contributed to that murmuring more than their indignation—in itself very justifiable—that the barbarian prince, who had murdered eighty thousand of their countrymen and had brought unspeakable misery on Italy and Asia, should be allowed to return home unpunished with the greatest part of the treasures which he had collected by the pillage of Asia. Sulla himself was probably painfully sensible that the political complications thwarted in a most vexatious way a task which was in a military point of view so simple, and compelled him after such victories to content himself with such a peace. But the self-denial and the sagacity with which he had conducted this whole war were only displayed afresh in the conclusion of this peace; for war with a prince, to whom almost the whole coast of the Black Sea belonged, and whose obstinacy was clearly displayed by the very last negotiations, would still under the most favourable circumstances require years, and the situation of Italy was such that it seemed almost too late even for Sulla to oppose the party in power there with the few legions which he possessed.* Before this could be done, however, it was

* Armenian tradition also is acquainted with the first Mithradatic war. Ardasches king of Armenia—Moses of Chorene tells us—was not content with the second rank which rightfully belonged to him in the Persian (Parthian) empire, but compelled the Parthian king Arschagan to cede to him the supreme power, whereupon he had a palace built for himself in Persia and had coins struck there with his own image. He appointed Arschagan viceroy of Persia and his son Dicran (Tigranes) viceroy of Armenia, and gave his daughter Ardaschama in marriage to the great prince of the Iberians Mihrdates (Mithradates) who was descended from Mihrdates satrap of Darius and governor appointed by Alexander over the conquered Iberians, and ruled in the northern mountains as well as over the Black Sea. Ardasches then took Croesus the king of the

absolutely necessary to overthrow the bold officer who was at the head of the democratic army in Asia, in order that he might not at some future time come from Asia to the help of the Italian revolution, just as Sulla now hoped to return from Asia and crush it. At Cypsela on the Hebrus Sulla obtained accounts of the ratification of the peace by Mithradates; but the march to Asia went on. The king, it was said, desired personally to confer with the Roman general and to cement the peace with him; it may be presumed that this was simply a convenient pretext for transferring the army to Asia and there putting an end to Fimbria.

Peace at Dardanus.

So Sulla, attended by his legions and by Archelaus, crossed the Hellespont; after he had met with Mithradates on its Asiatic shore at Dardanus and had orally concluded the treaty, he made his army continue its march till he came upon the camp of Fimbria at Thyatira not far from Pergamus, and pitched his own close beside it. The Sullan soldiers, far superior to the Fimbrians in number, discipline, leadership, and ability, looked with contempt on the dispirited and demoralized troops and their uncalled commander-in-chief. Desertions from the ranks of the Fimbrians became daily more numerous. When Fimbria ordered an attack, the soldiers refused to fight against their fellow-citizens, or even to take the oath which he required that they would stand

Sulla against Fimbria.

Lydians prisoner, subdued the mainland between the two great seas (Asia Minor), and crossed the sea with innumerable vessels to subjugate the West. As there was anarchy at that time in Rome, he nowhere encountered serious resistance, but his soldiers killed each other and Ardasches fell by the hands of his own troops. After Ardasches' death his successor Dicrana marched against the army of the Greeks (*i. e.* the Romans) who now in turn invaded the Armenian land; he set a limit to their advance, handed over to his brother-in-law Mihrdates the administration of Madschag (Mazaka in Cappadocia) and of the interior along with a considerable force, and returned to Armenia. Many years afterwards there were still pointed out in the Armenian towns statues of Greek gods by well-known masters, trophies of this campaign.

We have no difficulty in recognizing here various facts of the first Mithradatic war, but the whole narrative is evidently confused, furnished with heterogeneous additions, and in particular transferred by patriotic falsification to Armenia. In just the same way the victory over Crassus is afterwards attributed to the Armenians. These Oriental accounts are to be received with all the greater caution, that they are by no means mere popular legends; on the contrary the accounts of Josephus, Eusebius, and other authorities current among the Christians of the fifth century have been amalgamated with the Armenian traditions, and the historical romances of the Greeks and beyond doubt the patriotic fancies also of Moses himself have been laid to a considerable extent under contribution. Bad as is our Occidental tradition in itself, to call in the aid of Oriental tradition in this and similar cases—as has been attempted for instance by the uncritical Saint-Martin—can only lead to still further confusion.

faithfully by each other in battle. An attempt to assassinate Sulla miscarried; at the conference which Fimbria requested Sulla did not make his appearance, but contented himself with suggesting to him through one of his officers a means of personal escape. Fimbria was of an insolent temperament, but he was no poltroon; instead of accepting the vessel which Sulla offered to him and fleeing to the barbarians, he went to Pergamus and fell on his own sword in the temple of Asklepios. Those who were most compromised in his army resorted to Mithradates or to the pirates, with whom they found ready reception; the main body placed itself under the orders of Sulla.

Fimbria's death.

Sulla determined to leave these two legions, whom he did not trust for the impending war, behind in Asia, where the fearful crisis left for long its lingering traces in the several cities and districts. The command of this corps and the governorship of Roman Asia he committed to his best officer, Lucius Licinius Murena. The revolutionary measures of Mithradates, such as the liberation of the slaves and the annulling of debts, were of course cancelled; a restoration, which in many places could not be carried into effect without force of arms. Justice moreover was exercised, as the victors understood the term. The most noted adherents of Mithradates and the authors of the massacre of the Italians were punished with death. The persons liable to taxes were obliged immediately to pay down in cash according to valuation the whole arrears of tenths and customs for the last five years; besides which they had to pay a war-indemnity of 20,000 talents (£4,800,000), for the collection of which Lucullus was left behind. These were measures fearful in their rigour and dreadful in their effects; but when we recall the Ephesian decree and its execution, we feel inclined to regard them as a comparatively mild retaliation. That their exactions in other respects were not unusually oppressive, is shown by the value of the spoil afterwards carried in triumph, which amounted in precious metal to only about £1,000,000. The few communities on the other hand that had remained faithful—particularly the island of Rhodes, the province of Lycia, Magnesia on the Maeander—were richly rewarded; Rhodes received back at least a portion of the

Regulation of Asiatic affairs.

possessions withdrawn from it after the war against Perseus (ii. 327). In like manner compensation was made as far as possible by free charters and special favours to the Chians for the hardships which they had borne, and to the Ilienses for the insanely cruel maltreatment inflicted on them by Fimbria on account of the negotiations into which they had entered with Sulla. Sulla had already brought the kings of Bithynia and Cappadocia to meet the Pontic king at Dardanus, and had made them all promise to live in peace and good neighbourhood; on which occasion, however, the haughty Mithradates had refused to admit Ariobarzanes who was not descended of royal blood—the slave, as he called him—to his presence. Gaius Scribonius Curio was commissioned to superintend the restoration of the legal order of things in the two kingdoms evacuated by Mithradates.

The goal was thus attained. After four years of war the Pontic king was again a client of the Romans, and a single and settled government was restored in Greece, Macedonia, and Asia Minor; the requirements of interest and honour were satisfied, if not adequately, yet so far as circumstances would allow; Sulla had not only brilliantly distinguished himself as a soldier and general, but had the skill in a path crossed by a thousand obstacles to preserve the difficult mean between bold perseverance and prudent concession. Almost like Hannibal he had fought and conquered, in order that with the forces, which the first victory gave him, he might prepare forthwith for a second and severer struggle. After he had in some degree compensated his soldiers for the fatigues which they had undergone by luxurious winter-quarters in rich Western Asia, he in the spring of 671 transferred them in 1600 vessels from Ephesus to the Piraeeus and thence by the land route to Patrae, where the vessels again lay ready to convey the troops to Brundisium. His arrival was preceded by a report addressed to the senate respecting his campaigns in Greece and Asia, the writer of which appeared to know nothing of his deposition; it was the mute herald of the impending restoration.

Sulla embarks for Italy. [83.

CHAPTER IX.

CINNA AND SULLA.

Ferment in Italy. 87.

The state of suspense and uncertainty existing in Italy when Sulla took his departure for Greece in the beginning of 667 has been already described: the half-suppressed insurrection, the principal army under the more than half-usurped command of a general whose politics were very doubtful, the confusion and the manifold activity of intrigue in the capital. The victory of the oligarchy by force of arms had, in spite or because of its moderation, made various classes discontented. The capitalists, painfully affected by the blows of the most severe financial crisis which Rome had yet witnessed, were indignant at the government on account of the law which it had issued as to interest, and on account of the Italian and Asiatic wars which it had not prevented. The insurgents, so far as they had laid down their arms, bewailed not only the disappointment of their proud hope that they would obtain equal rights with the ruling burgesses, but also the forfeiture of their venerable treaties and their new position as subjects utterly destitute of rights. The communities between the Alps and the Po were likewise discontented with the partial concessions made to them, and the new burgesses and freedmen were exasperated by the cancelling of the Sulpician laws. The populace of the city suffered amid the general distress, and found it intolerable that the government of the sabre was no longer disposed to acquiesce in the constitutional rule of the bludgeon. The adherents of those outlawed after the Sulpician revolution, who resided in the capital—a body which had remained very numerous in consequence of the remarkable moderation of Sulla—laboured zealously to procure permission for these to return home; and in particular some ladies of wealth and

distinction spared for this purpose neither trouble nor money. None of these grounds of ill-humour were such as to furnish any immediate prospect of a fresh violent collision between the parties; they were in great part of an aimless and temporary nature; but they all fed the general discontent, and had already been more or less concerned in producing the murder of Rufus, the repeated attempts to assassinate Sulla, the issue of the consular and tribunician elections for 667 87. partly in favour of the opposition.

The name of the man whom the discontented had summoned to the head of the state, Lucius Cornelius Cinna, had been hitherto scarcely heard of, except so far as he had distinguished himself as an officer in the Social War. We have less information regarding the personal standing and the original designs of Cinna than regarding those of any other party leader in the Roman revolution. The reason is, to all appearance, simply that a man so thoroughly vulgar and guided by the lowest selfishness had from the first no comprehensive political plans whatever. It was asserted at his very first appearance that he had sold himself for a round sum of money to the new burgesses and the coterie of Marius, and the charge looks very credible; but even were it false, it remains nevertheless significant that a suspicion of the sort, such as was never expressed against Saturninus and Sulpicius, attached to Cinna. In fact the movement, at the head of which he put himself, has altogether the appearance of worthlessness both as to motives and as to aims. It proceeded not so much from a party as from a number of dissatisfied persons without strictly political aims or notable support, who had mainly undertaken to carry out the recall of the exiles by legal or illegal means. Cinna seems to have been admitted into the conspiracy only by an after-thought and merely because the intrigue, which in consequence of the restriction of the tribunician powers needed a consul to bring forward its proposals, saw in him among the consular candidates for 667 its fittest instrument and so pushed him 87. forward as consul. Among the leaders appearing in the second rank of the movement were some abler heads; such was the tribune of the people Gnaeus Papirius Carbo, who had Carbo. made himself a name by his impetuous popular eloquence,

Cinna.

Sertorius.

and above all Quintus Sertorius, one of the most talented of Roman officers and a man in every respect excellent, who since his candidature for the tribuneship of the people had been a personal enemy to Sulla and had been led by this quarrel into the ranks of the disaffected to which he did not at all by nature belong. The proconsul Strabo, although at variance with the government, was yet far from going along with this faction.

Outbreak of the Cinnan revolution.

So long as Sulla was in Italy, the confederates for good reasons remained quiet. But when the dreaded proconsul, yielding not to the exhortations of the consul Cinna but to the urgent state of matters in the East, had embarked, Cinna, supported by the majority of the college of tribunes, immediately submitted the projects of law which had been concerted as a partial reaction against the Sullan restoration of 666. They embraced the political equalization of the new burgesses and the freedmen, as Sulpicius had proposed it, and the restitution of those who had been banished in consequence of the Sulpician revolution to their former status. The new burgesses flocked *en masse* to the capital, that along with the freedmen they might terrify, and in case of need force, their opponents into compliance. But the government party was determined not to yield; consul stood against consul, Gnaeus Octavius against Lucius Cinna, and tribune against tribune; both sides appeared in great part armed on the day of voting. The tribunes of the senatorial party interposed their veto; when swords were drawn against them even on the rostra, Octavius employed force against force. His compact bands of armed men not only cleared the Via Sacra and the Forum, but also, disregarding the commands of their more gentle-minded leader, exercised horrible atrocities against the assembled multitude. The Forum swam with blood on this "Octavius' day," as it never did before or afterwards—the number of corpses was estimated at ten thousand. Cinna called on the slaves to purchase freedom for themselves by sharing in the struggle; but his appeal was as unsuccessful as the like appeal of Marius in the previous year, and no course was left to the leaders of the movement but to take flight. The constitution supplied no means of proceeding

86.

Victory of the government.

farther against the chiefs of the conspiracy, so long as their year of office lasted. But a prophet probably more loyal than pious had announced that the banishment of the consul Cinna and of the six tribunes of the people adhering to him would restore peace and tranquillity to the country; and, in conformity not with the constitution but with this counsel of the gods fortunately laid hold of by the custodiers of oracles, the consul Cinna was by decree of the senate deprived of his office, Lucius Cornelius Merula was chosen in his stead, and outlawry was pronounced against the chiefs who had fled. It seemed as if the whole crisis were about to end in a few additions to the number of the men who were exiles in Numidia.

The Cinnans in Italy.

Beyond doubt nothing further would have come of the movement, had not the senate with its usual remissness omitted to compel the fugitives to quit Italy as soon as possible, and had there not been a possibility that the latter might, as the champions of the emancipation of the new burgesses, renew in their own favour to some extent the revolt of the Italians. Without obstruction they appeared in Tibur, in Praeneste, in all the important communities of new burgesses in Latium and Campania, and asked and obtained everywhere money and men for the furtherance of the common cause. Thus supported, they made their appearance among the army besieging Nola. The armies of this period were democratic and revolutionary in their views, wherever the general did not attach them to himself by his personal influence; the speeches of the fugitive magistrates, some of whom, especially Cinna and Sertorius, were favourably remembered by the soldiers in connection with the last campaigns, made a deep impression; the unconstitutional deposition of the popular consul and the interference of the senate with the rights of the sovereign people told on the common soldier, and the gold of the consul or rather of the new burgesses made the breach of the constitution clear to the officers. The Campanian army recognized Cinna as consul and swore the oath of fidelity to him man by man; it became a nucleus for the bands that flocked in from the new burgesses and even from the allied communities; a considerable army, though consisting mostly of recruits,

soon moved from Campania towards the capital. Other bands approached it from the north. On the invitation of Cinna those who had been banished in the previous year had landed at Telamon on the Etruscan coast. There were not more than some 500 armed men, for the most part slaves of the refugees and enlisted Numidian horsemen; but, as Gaius Marius had in the previous year been willing to fraternize with the rabble of the capital, so he now ordered the *ergastula* in which the landholders of this region shut up their field-labourers during the night to be broken open, and the arms which he offered to these for the purpose of achieving their freedom were not despised. Reinforced by these men and the contingents of the new burgesses, as well as by the exiles who flocked to him with their partisans from all sides, he soon numbered 6000 men under his eagles and was able to man forty ships, which took their station before the mouth of the Tiber and gave chase to the corn-ships sailing towards Rome. With these he placed himself at the disposal of the "consul" Cinna. The leaders of the Campanian army hesitated; the more sagacious, Sertorius in particular, seriously pointed out the danger of too closely connecting themselves with a man whose name would necessarily place him at the head of the movement, and who yet was notoriously incapable of any statesmanlike action and haunted by an insane thirst for revenge; but Cinna disregarded these scruples, and confirmed Marius in the supreme command in Etruria and at sea with proconsular powers.

Landing of Marius.

Thus the storm gathered around the capital, and the government could no longer delay bringing forward their troops to protect it.* But the forces of Metellus were detained by the Italians in Samnium and before Nola; Strabo alone was in a position to hasten to the help of the capital. He appeared and pitched his camp at the Colline gate: with his numerous and experienced army he might doubtless have rapidly and totally annihilated the still weak bands of insurgents; but this seemed to be no part of his

Dubious attitude of Strabo.

* The whole of the representation that follows is based in substance on the recently discovered account of Licinianus, which communicates a number of facts previously unknown, and in particular enables us to perceive the sequence and connection of these events more clearly than was possible before.

design. On the contrary he allowed Rome to be actually invested by the insurgents. Cinna with his corps and that of Carbo took post on the right bank of the Tiber opposite to the Janiculum, Sertorius on the left bank confronting Pompeius over against the Servian wall. Marius with his band which had gradually increased to three legions, and in possession of a number of war-vessels, occupied one place on the coast after another till at length even Ostia fell into his hands through treachery, and, by way of prelude as it were to the approaching reign of terror, was abandoned by the general to the savage band for massacre and pillage. The capital was placed, even by the mere obstruction of traffic, in great danger; by command of the senate the walls and gates were put in a state of defence and the burgess-levy was ordered to the Janiculum. The inaction of Strabo excited among all classes alike surprise and indignation. The suspicion that he was negotiating secretly with Cinna was natural, but was probably without foundation. A serious conflict in which he engaged the band of Sertorius, and the support which he gave to the consul Octavius when Marius had by an understanding with one of the officers of the garrison penetrated into the Janiculum, and by which in fact the insurgents were successfully beaten off again with much loss, showed that he was far from intending to unite with, or rather to place himself under, the leaders of the insurgents. It seems rather to have been his design to sell his assistance in subduing the insurrection to the alarmed government and citizens of the capital at the price of the consulship for the next year, and thereby to get the reins of government into his own hands.

The Cinnans around Rome.

The senate was not, however, inclined to throw itself into the arms of one usurper in order to escape from another, and sought help elsewhere. The franchise was by decree of the senate supplementarily conferred on all the Italian communities involved in the Social War, which had laid down their arms and had in consequence thereof forfeited their old alliance.* It seemed as it were their intention officially to

Negotiations of parties with the Italians.

* P. 268. That there was no confirmation by the comitia, is clear from Cic. *Phil.* xii. 11, 27. The senate seems to have made use of the form of simply prolonging the term of the Plautio-Papirian law (p. 260), a course which by use and wont (i. 350) was open to it and practically amounted to conferring the franchise on all Italians.

demonstrate that Rome in the war against the Italians had staked her existence for the sake not of a great object but of her own vanity: in the first momentary embarrassment, for the purpose of bringing into the field an additional thousand or two of soldiers, she sacrificed everything which had been gained at so terribly dear a cost in the Social War. In fact, troops arrived from the communities who reaped the benefit of this concession; but instead of the many legions promised, their contingent on the whole amounted to not more than, at most, ten thousand men. It was of more moment that an agreement should be come to with the Samnites and Nolans, so that the troops of the thoroughly trustworthy Metellus might be employed for the protection of the capital. But the Samnites made demands which recalled the yoke of Caudium—restitution of the spoil taken from the Samnites and of their prisoners and deserters, renunciation of the booty wrested by the Samnites from the Romans, the bestowal of the franchise on the Samnites themselves as well as on the Romans who had passed over to them. The senate rejected even in this emergency terms of peace so disgraceful, but instructed Metellus to leave behind a small division and to lead in person all the troops that could at all be dispensed with in southern Italy as quickly as possible to Rome. He obeyed. But the consequence was, that the Samnites attacked and defeated Plautius the legate left behind by Metellus and his weak band; that the garrison of Nola marched out and set on fire the neighbouring town of Abella in alliance with Rome; that Cinna and Marius, moreover, granted to the Samnites everything they asked—what mattered Roman honour to them?—and a Samnite contingent reinforced the ranks of the insurgents. It was a severe loss also, when after a combat unfavourable to the troops of the government Ariminum was occupied by the insurgents and thus the important communication between Rome and the valley of the Po, whence men and supplies were expected, was interrupted. Scarcity and famine set in. The large populous city numerously garrisoned with troops was but inadequately supplied with provisions; and Marius in particular took care to cut off its supplies more and more. He had

already blocked up the Tiber by a bridge of ships; now by the capture of Antium, Lanuvium, Aricia, and other places he gained control over the means of land communication still open, and at the same time appeased temporarily his revenge by causing all the citizens, wherever resistance was offered, to be put to the sword with the exception of those who had possibly betrayed to him the town. Contagious diseases ensued and committed dreadful ravages among the masses of soldiers densely crowded round the capital; of Strabo's veteran army 11,000, and of the troops of Octavius 6000 are said to have fallen victims to them. Yet the government did not despair; and the sudden death of Strabo was a fortunate event for it. He died not of the pestilence, but—as was alleged at least—of the effects of a thunderbolt which had struck his tent; the masses, exasperated on many grounds against him, tore his corpse from the bier and dragged it through the streets. The remnant of his troops was incorporated by the consul Octavius with his army.

Death of Strabo.

After the arrival of Metellus and the decease of Strabo the army of the government was again at least a match for its antagonists, and was able to array itself for battle against the insurgents at the Alban Mount. But the minds of the soldiers of the government were deeply agitated; when Cinna appeared in front of them, they received him with acclamation as if he were still their general and consul; Metellus deemed it advisable not to allow the battle to come on, but to lead back the troops to their camp. The Optimates themselves wavered, and fell into variance with each other. While one party, with the honourable but stubborn and shortsighted consul Octavius at their head, perseveringly opposed all concession, the more experienced and more judicious Metellus attempted to bring about a compromise; but his conference with Cinna excited the wrath of the ultras on both sides: Cinna was called by Marius a weakling, Metellus was called by Octavius a traitor. The soldiers, unsettled otherwise and not without cause distrusting the leadership of the untried Octavius, suggested to Metellus that he should assume the chief command, and, when he refused, began in crowds to throw away their arms or even to desert to the enemy. The

Vacillation of the government.

temper of the burgesses became daily more depressed and troublesome. On the proclamation of the heralds of Cinna guaranteeing freedom to the slaves who should desert, these flocked in troops from the capital to the enemy's camp. But the proposal that the senate should guarantee freedom to the slaves willing to enter the army was decidedly resisted by Octavius. The government could not conceal that it was defeated, and that nothing remained but to come to terms if possible with the leaders of the band, as the overpowered traveller comes to terms with the captain of robbers. Envoys were sent to Cinna; but, while they foolishly made difficulties as to recognizing him as consul, and Cinna in the interval thus occupied transferred his camp close to the city-gates, the desertion spread to so great an extent that it was no longer possible to settle any terms. The senate submitted itself unconditionally to the outlawed consul, adding only a request that he would refrain from bloodshed. Cinna promised this, but refused to ratify his promise by an oath; Marius, who kept by his side during the negotiations, maintained a sullen silence.

Rome capitulates.

Marian reign of terror.

The gates of the capital were opened. The consul marched in with his legions; but Marius, scoffingly recalling the law of outlawry, refused to set foot in the city until the law allowed him to do so, and the burgesses hastily assembled in the Forum to pass the annulling decree. He then entered, and with him the reign of terror. It was determined not to select individual victims, but to have all the notable men of the Optimate party put to death and to confiscate their property. The gates were closed; for five days and five nights the slaughter continued without interruption; even afterwards the execution of individuals who had escaped or been overlooked was of daily occurrence, and for months the bloody persecution went on throughout Italy. The consul Gnaeus Octavius was the first victim. True to his often expressed principle, that he would rather suffer death than make the smallest concession to men beyond the pale of law, he refused even now to take flight, and in his consular robes awaited at the Janiculum the assassin, who was not slow to appear. Among
90. the slain were Lucius Caesar (consul in 664) the celebrated victor of Acerrae (p. 258); his brother Gaius, whose unseasonable ambition had provoked the Sulpician tumult (p. 273),

well known as an orator and poet and as an amiable companion; Marcus Antonius (consul in 655), after the death of Lucius Crassus beyond dispute the first forensic pleader of his time; Publius Crassus (consul in 657) who had commanded with distinction in the Spanish and in the Social wars and also during the siege of Rome; and a multitude of the most considerable men of the government party, among whom the wealthy were traced out with especial zeal by the greedy executioners. Peculiarly melancholy seemed the death of Lucius Merula, who very much against his own wish had become Cinna's successor, and who now, when criminally impeached on that account and cited before the comitia, in order to anticipate the inevitable condemnation opened his veins, and at the altar of the Supreme Jupiter whose priest he was, after laying aside the priestly headband as the religious duty of the dying Flamen required, breathed his last; and still more the death of Quintus Catulus (consul in 652), once in better days the associate of the most glorious victory and triumph of that same Marius who now had no other answer for the suppliant relatives of his aged colleague than the monosyllabic order, "he must die." 99. 97. 102.

The last days of Marius.

The originator of all these outrages was Gaius Marius. He designated the victims and the executioners—only in exceptional cases, as in those of Merula and Catulus, was any form of law observed; not unfrequently a glance or the silence with which he received those who saluted him formed the sentence of death, which was always executed at once. His revenge was not satisfied even with the death of his victim; he forbade the burial of the dead bodies; he gave orders—anticipated, it is true, in this respect by Sulla—that the heads of the senators slain should be fixed to the rostra in the Forum; he ordered particular corpses to be dragged through the Forum, and that of Gaius Caesar to be stabbed afresh at the tomb of Quintus Varius, whom Caesar probably had once impeached (p. 259); he publicly embraced the man who delivered to him as he sat at table the head of Antonius, whom he had been with difficulty restrained from seeking out in his hiding-place, and slaying with his own hand. His legions of slaves, and in particular a division of Ardyaeans (p. 185), chiefly served as his executioners, and did not neglect, amidst these Saturnalia of

their new freedom, to plunder the houses of their former masters and to dishonour and murder all whom they met with there. His own associates were in despair at this insane fury; Sertorius adjured the consul to put a stop to it at any price, and even Cinna was alarmed. But in times such as these were, madness itself becomes a power; man hurls himself into the abyss, to save himself from giddiness. It was not easy to restrain the furious old man and his band, and least of all had Cinna the courage to do so; on the contrary, he chose Marius as his colleague in the consulship for the next year. The reign of terror alarmed the more moderate of the victors not much less than the defeated party; the capitalists alone were not displeased to see that another hand lent itself to the work of thoroughly humbling for once the haughty oligarchs, and that at the same time, in consequence of the extensive confiscations and auctions, the best part of the spoil came to themselves—in these times of terror they acquired from the people the surname of the "hoarders."

Fate had thus granted to the author of this reign of terror, the old Gaius Marius, his two chief wishes. He had taken vengeance on the whole pack of nobles that had embittered his victories and envenomed his defeats; he had been enabled to retaliate for every sarcasm by a stroke of the dagger. Moreover, he entered on the new year once more as consul; the vision of a seventh consulate, which the oracle had promised him, and which he had sought for thirteen years to grasp, had now been realized. The gods had granted to him what he wished; but now too, as in the old legendary period, they practised the fatal irony of destroying man by accomplishing his wishes. In his early consulates the pride, in his sixth the laughing-stock, of his fellow-citizens, he was now in his seventh loaded with the execration of all parties, with the hatred of the whole nation; he, the originally upright, able, gallant man, was branded as the crack-brained chief of a reckless band of robbers. He himself seemed to feel it. His days were passed as in delirium, and by night his couch denied him rest, so that he grasped the wine-cup in order merely to drown thought. A burning fever seized him; after being stretched for seven days on a sick bed, in the wild fancies of which he was fighting on the

fields of Asia Minor the battles whose laurels were destined for Sulla, he expired on the 13th Jan. 668. He died, more than seventy years old, in full possession of what he called power and honour, and in his bed; but Nemesis assumes various shapes, and does not always expiate blood with blood. Was there no sort of retaliation in the fact, that Rome and Italy now breathed more freely on the news of the death of the famous saviour of the people than at the tidings of the battle on the Raudine plain? Death of Marius. [86.

Even after his death individual incidents no doubt occurred, which recalled that time of terror; Gaius Fimbria, for instance, who more than any other during the Marian butcheries had dipped his hand in blood, made an attempt at the very funeral of Marius to kill the universally revered *pontifex maximus* Quintus Scaevola (consul in 659) who had been spared even by Marius, and then, when the *pontifex* recovered from the wound he had received, indicted him criminally on account of the offence, as Fimbria jestingly expressed it, of having not been willing to let himself be murdered. But the orgies of murder at any rate were over. Sertorius called together the Marian bandits, under pretext of giving them their pay, surrounded them with his trusty Celtic troops, and caused them to be cut down *en masse* to the number, according to the lowest estimate, of 4000. 95.

Government of Cinna. Along with the reign of terror came the *tyrannis*. Cinna not only stood at the head of the state for four years in succession (667–670) as consul, but he regularly nominated himself and his colleagues without consulting the people; it seemed as if these democrats set aside the sovereign popular assembly with intentional contempt. No other chief of the popular party, before or afterwards, possessed so perfectly absolute a power in Italy and in the greater part of the provinces for so long a time almost undisturbed, as Cinna; but no one can be named, whose government was so utterly worthless and aimless. The law proposed by Sulpicius and thereafter by Cinna himself, which promised to the new burgesses and the freedmen equality of suffrage with the old burgesses, was naturally revived; and it was formally confirmed by a decree of the senate as valid in law (670). [87–84. 84.

Censors were nominated (668) for the purpose of distributing [86.

all the Italians, in accordance with it, into the thirty-five tribes—by a singular conjuncture, in consequence of a want of qualified candidates for the censorship the same Philippus,
91. who when consul in 663 had been the principal occasion of the miscarriage of Drusus' plan for bestowing the franchise on the Italians (p. 235), was now selected as censor to inscribe them in the burgess-rolls. The reactionary institutions es-
88. tablished by Sulla in 666 were of course overthrown. Some steps were taken to please the proletariate—for instance, the restrictions on the distribution of grain introduced some years ago (p. 249), were probably now once more removed; the de-
83. sign of Gaius Gracchus to found a colony at Capua was in reality carried out in the spring of 671 on the proposal of the tribune of the people, Marcus Junius Brutus; Lucius Valerius Flaccus the younger introduced a law as to debt, which reduced every private claim to the fourth part of its nominal amount and cancelled three-fourths in favour of the debtors. But these measures, the only positive ones during the whole Cinnan government, were without exception the dictates of the moment; they were based—and this is perhaps the most shocking feature in this whole catastrophe—not on a plan possibly erroneous, but on no political plan at all. The populace were caressed, and at the same time offended in a very unnecessary way by a meaningless disregard of the constitutional rules of election. The capitalist party might have furnished some support, but it was injured in the most sensitive point by the law as to debt. The true mainstay of the government was—wholly without any co-operation on its part—the new burgesses; their assistance was acquiesced in, but nothing was done to regulate the strange position of the Samnites, who were now nominally Roman citizens, but evidently regarded their country's independence as practically the real object and prize of the struggle and remained in arms to defend it against all and sundry. Illustrious senators were struck down like mad dogs; but not the smallest step was taken to reorganize the senate in the interest of the government, or even permanently to terrify it; so that the government was by no means sure of its aid. Gaius Gracchus had not understood the fall of the oligarchy as implying that the new master might conduct himself on his self-created throne,

as legitimate cipher-kings think proper to do. But this Cinna had been elevated to power not by his will, but by pure accident; was there any wonder that he remained where the storm-wave of revolution had washed him up, till a second wave came to sweep him away again?

Cinna and Sulla.

The same union of the mightiest plenitude of power with the most utter impotence and incapacity in those who held it, was apparent in the warfare waged by the revolutionary government against the oligarchy—a warfare on which its existence primarily depended. In Italy it ruled with absolute sway. Of the old burgesses a very large portion were on principle favourable to democratic views; and the still greater mass of quiet people, while disapproving the Marian horrors, saw in an oligarchic restoration simply the commencement of a second reign of terror by the opposite party. The impression of the outrages of 667 on the nation at large had been comparatively slight, as they had chiefly affected the mere aristocracy of the capital; and it was moreover somewhat effaced by the three years of tolerably peaceful government that ensued. Lastly the whole mass of the new burgesses—three-fifths perhaps of the Italians—were decidedly, if not favourable to the present government, yet opposed to the oligarchy.

Italy and the provinces in favour of the government.

87.

Like Italy, most of the provinces adhered to the oligarchy —Sicily, Sardinia, the two Gauls, the two Spains. In Africa Quintus Metellus, who had fortunately escaped the murderers, made an attempt to hold that province for the Optimates; Marcus Crassus, the youngest son of the Publius Crassus who had perished in the Marian massacre, went to him from Spain, and reinforced him by a band which he had collected there. But on their quarrelling with each other they were obliged to yield to Gaius Fabius Hadrianus, the governor appointed by the revolutionary government. Asia was in the hands of Mithradates; consequently the province of Macedonia, so far as it was in the power of Sulla, remained the only asylum of the exiled oligarchy. Sulla's wife and children who had with difficulty escaped death, and not a few senators who had made their escape, sought refuge there, so that a sort of senate was soon formed at his head quarters.

Measures

The government did not fail to issue decrees against the

against Sulla.

oligarchical proconsul. Sulla was deprived by the comitia of his command and of his other honours and dignities and outlawed, as was also the case with Metellus, Appius Claudius, and other refugees of note; his house in Rome was razed, his country estates were laid waste. But such proceedings did not settle the matter. Had Gaius Marius lived longer, he would doubtless have marched in person against Sulla to those fields whither the fevered visions of his death-bed drew him; the measures which the government took after his death have been stated already. Lucius Valerius Flaccus the younger,* who after Marius' death was invested with the consulship and the command in the East
86. (668), was neither soldier nor officer; Gaius Fimbria who accompanied him was not without ability, but insubordinate; the army assigned to them was even in numbers three times weaker than the army of Sulla. Tidings successively arrived, that Flaccus, in order not to be crushed by Sulla, had
86. marched past him onward to Asia (668); that Fimbria had
85. set him aside and installed himself in his room (beg. of 669);
85–84. that Sulla had concluded peace with Mithradates (669–670). Hitherto Sulla had been silent so far as the authorities ruling in the capital were concerned. Now a letter from him reached the senate, in which he reported the termination of the war and announced his return to Italy; he stated that he would respect the rights conferred on the new burgesses, and that, while measures of punishment were inevitable, they would light not on the masses, but on the authors of the mischief. This announcement frightened Cinna out of

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* Lucius Valerius Flaccus, whom the
86. Fasti name as consul in 668, was not
100. the consul of 654, but a younger man of the same name, perhaps son of the preceding. For, first, the law which prohibited re-election to the consulship
151. remained legally in full force from *c.* 603
81. (p. 75) to 673, and it is not probable that what was done in the case of Scipio Aemilianus and Marius was done also for Flaccus. Secondly, there is no mention anywhere, when either Flaccus is named, of a double consulship, not even where it was necessary as in Cic. *pro Flacc.* 32, 77. Thirdly, the Lucius Valerius Flaccus who was active in Rome in
85. 669 as *princeps senatus* and consequently of consular rank (Liv. 83), cannot have been the consul of 668, for the latter had already at that time departed for Asia and was probably already dead. The consul of 654, censor in 657, is the person whom Cicero (*ad Att.* viii. 3, 6) mentions among the consulars present in Rome in 667; he was in 669 beyond doubt the oldest of the old censors living and thus fitted to be *princeps senatus;* he was also the *interrex* and the *magister equitum* of 672. On the other hand, the consul of 668, who perished in Nicomedia (p. 323), was the father of the Lucius Flaccus defended by Cicero (*pro Flacc.* 25, 61, comp. 23, 55. 32, 77).

his inaction: while he had hitherto taken no step against Sulla except the placing some men under arms and collecting a number of vessels in the Adriatic, he now resolved to cross in all haste to Greece.

Attempts at a compromise.

On the other hand Sulla's letter, which in the circumstances might be called extremely moderate, awakened in the middle-party hopes of a peaceful adjustment. The majority of the senate resolved, on the proposal of the elder Flaccus, to set on foot an attempt at reconciliation, and with that view to summon Sulla to come under the guarantee of a safe-conduct to Italy, and to suggest to the consuls Cinna and Carbo that they should suspend their preparations till the arrival of Sulla's answer. Sulla did not absolutely reject the proposals. Of course he did not come in person, but he sent a message that he asked nothing but the restoration of the banished to their former status and the judicial punishment of the crimes that had been perpetrated, and moreover that he did not desire security to be provided for himself, but proposed to bring it to those who were at home. His envoys found the state of things in Italy essentially altered. Cinna had, without concerning himself further about that decree of the senate, immediately after the termination of its sitting proceeded to the army and urged its embarkation. The summons to trust themselves to the sea at that unfavourable season of the year provoked among the already dissatisfied troops in the head-quarters at Ancona a mutiny, to which Cinna fell a victim (beg. of 670); whereupon his colleague Carbo found himself compelled to bring back the divisions that had already crossed and, abandoning the idea of taking up the war in Greece, to enter into winter-quarters at Ariminum. But Sulla's offers met no better reception on that account; the senate rejected his proposals without even allowing the envoys to enter Rome, and enjoined him summarily to lay down arms. It was not the coterie of the Marians which primarily brought about this resolute attitude. That faction was obliged to abandon its hitherto usurped occupation of the supreme magistracy at the very time when it was of moment, and again to institute consular elections for the decisive year 671. The suffrages on this occasion were united not in favour of the former consul Carbo

Death of Cinna. [84. Carbo and the new burgesses arm against Sulla.

83.

or of any of the able officers of the hitherto ruling clique, such as Quintus Sertorius or Gaius Marius the younger, but in favour of Lucius Scipio and Gaius Norbanus, two incapables, neither of whom knew how to fight and Scipio not even how to speak; the former of these recommended himself to the multitude only as the great-grandson of the conqueror of Antiochus, and the latter as a political opponent of the oligarchy (p. 227). The Marians were not so much abhorred for their misdeeds as despised for their incapacity; but if the nation would have nothing to do with these, the great majority of it would have still less to do with Sulla and an oligarchical restoration. Earnest measures of self-defence were contemplated. While Sulla crossed to Asia and induced such defection in the army of Fimbria that its leader fell by his own hand, the government in Italy employed the further interval of a year granted to it by these steps of Sulla in energetic preparations; it is said that at Sulla's landing 100,000 men, and afterwards even double that number of troops, were arrayed in arms against him.

Difficult position of Sulla.

Against this Italian force Sulla had nothing to place in the scale except his five legions, which, even including some contingents levied in Macedonia and the Peloponnesus, probably amounted to scarce 40,000 men. It is true that this army had been, during its seven years' conflicts in Italy, Greece, and Asia, weaned from politics, and adhered to its general—who pardoned everything in his soldiers, debauchery, bestiality, even mutiny against their officers, required nothing but valour and fidelity towards their general, and set before them the prospect of the most extravagant rewards in the event of victory—with all that soldierly enthusiasm, which is the more powerful that the noblest and the meanest passions often combine to produce it in the same breast. The soldiers of Sulla voluntarily according to the Roman custom swore mutual oaths that they would stand firmly by each other, and each voluntarily brought to the general his savings as a contribution to the costs of the war. But considerable as was the weight of this solid and select body of troops in comparison with the masses of the enemy, Sulla saw very well that Italy could not be subdued with five

legions if it remained united in resolute resistance. To settle accounts with the popular party and their incapable autocrats would not have been difficult; but he saw opposed to him and united with that party the whole mass of those who desired no oligarchic restoration with its terrors, and above all the whole body of new burgesses—both those who had been prevented by the Julian law from taking part in the insurrection, and those whose revolt a few years before had brought Rome to the brink of ruin.

His moderation.

Sulla fully surveyed the situation of affairs, and was far removed from the blind exasperation and the obstinate rigour which characterized the majority of his party. While the edifice of the state was in flames, while his friends were being murdered, his houses destroyed, his family driven into exile, he had remained undisturbed at his post till the public foe was conquered and the Roman frontier was secured. He now treated Italian affairs in the same spirit of patriotic and judicious moderation, and did whatever he could to pacify the moderate party and the new burgesses, and to prevent the civil war from assuming the far more dangerous form of a fresh war between the old Romans and the Italian allies. The first letter which Sulla addressed to the senate had asked nothing but what was right and just, and had expressly disclaimed a reign of terror. In harmony with its terms, he now presented the prospect of unconditional pardon to all those who should even now break off from the revolutionary government, and caused his soldiers man by man to swear that they would meet the Italians thoroughly as friends and fellow-citizens. The most binding declarations secured to the new burgesses the political rights which they had acquired; so that Carbo, for that reason, wished hostages to be furnished to him by every civic community in Italy, but the proposal broke down under general indignation and under the opposition of the senate. The chief difficulty in the position of Sulla really consisted in the fact, that in consequence of the faithlessness and perfidy which prevailed the new burgesses had every reason, if not to suspect his personal designs, to doubt at any rate whether he would be able to induce the majority of the senate to keep their word after the victory.

Sulla [83. lands in Italy,

In the spring of 671 Sulla landed with his legions in the port of Brundisium. The senate, on receiving the news, declared the commonwealth in danger, and committed to the consuls unlimited powers; but these incapable leaders had not been on their guard, and were surprised by a landing which had nevertheless been foreseen for years. The army was still at Ariminum, the ports were not garrisoned, and—what is almost incredible—there was not a man under arms at all along the whole south-eastern coast. The consequences were soon apparent. Brundisium itself, a considerable community of new burgesses, at once opened its gates without resistance to the oligarchic general, and all Messapia and Apulia followed its example. The army marched through these regions as through a friendly country, and mindful of its oath uniformly maintained the strictest discipline. From all sides the scattered remnant of the Optimate party flocked to the camp of Sulla. Quintus Metellus came from the mountain ravines of Liguria, whither he had made his escape from Africa, and resumed, as colleague of Sulla, the proconsular command committed to him in 667 (p. 285), and withdrawn from him by the revolution. Marcus Crassus in like manner appeared from Africa with a small band of armed men. Most of the Optimates, indeed, came as emigrants of quality with great pretensions and small desire for fighting, so that they had to listen to bitter language from Sulla himself regarding the noble lords who wished to have themselves preserved for the good of the state and could not even be brought to arm their slaves. It was of more importance, that deserters already made their appearance from the democratic camp—for instance, the refined and respected Lucius Philippus, who was, along with one or two notoriously incapable persons, the only consular that had come to terms with the revolutionary government and accepted offices under it. He met with the most gracious reception from Sulla, and obtained the honourable and easy charge of occupying for him the province of Sardinia. Quintus Lucretius Ofella and other serviceable officers were likewise received and at once employed; even Publius Cethegus, one of the senators banished after the Sulpician *émeute* by Sulla, obtained pardon and a position in the army.

and is reinforced by partisans and deserters.

87.

Still more important than these individual accessions was the gain of the district of Picenum, which was substantially due to the son of Strabo, the young Gnaeus Pompeius. The latter, like his father originally no adherent of the oligarchy, had acknowledged the revolutionary government and even taken service in Cinna's army; but in his case the fact was not forgotten, that his father had borne arms against the revolution; he found himself assailed in various forms and even threatened with the loss of his very considerable wealth by an indictment charging him to give up the booty which was, or was alleged to have been, embezzled by his father after the capture of Asculum. The protection of the consul Carbo, who was personally attached to him, still more than the eloquence of the consular Lucius Philippus and of the young Lucius Hortensius, averted from him financial ruin; but he remained uneasy. On the news of Sulla's landing he went to Picenum, where he had extensive possessions and the best municipal connections derived from his father and the Social War, and set up the standard of the Optimate party in Auximum (Osimo). The district, which was mostly inhabited by old burgesses, joined him; the young men, many of whom had served with him under his father, readily ranged themselves under the courageous leader who, not yet twenty-three years of age, was as much soldier as general, sprang to the front of his cavalry in combat, and vigorously assailed the enemy along with them. The corps of Picenian volunteers soon grew to three legions; divisions under Cloelius, Gaius Albius Carrinas, Lucius Junius Brutus Damasippus,* were despatched from the capital to put down the Picenian insurrection, but the extemporized general, dexterously taking advantage of the dissensions that arose among them, had the skill to evade them or to beat them in detail and to effect his junction with the main army of Sulla, apparently in Apulia. Sulla saluted him as *imperator*, that is, as an officer commanding in his own name and holding not a subordinate but a parallel position, and distinguished the youth by marks of honour

Pompeius.

* We can only suppose this to be the Brutus referred to, since Marcus Brutus the father of the so-called Liberator was tribune of the people in 671, and therefore could not command in the field. 83.

such as he showed to none of his noble clients—probably not without the collateral design of thereby administering an indirect rebuke to the want of energetic character among his own partisans.

Sulla in Campania opposed by Norbanus and Scipio.

Reinforced thus considerably both in a moral and material point of view, Sulla and Metellus marched from Apulia through the still insurgent Samnite districts towards Campania. The main force of the enemy also proceeded thither, and it seemed as if the matter must there be brought to a decisive issue. The army of the consul Gaius Norbanus was already at Capua, where the new colony had just established itself with all democratic pomp; the second consular army was likewise advancing along the Appian road. But, before it arrived, Sulla was in front of Norbanus. A last attempt at mediation, which Sulla made, led only to the arrest of his envoys. With fresh indignation his veteran troops threw themselves on the enemy; their vehement charge down from Mount Tifata at the first onset broke the enemy drawn up in the plain; with the remnant of his force Norbanus threw himself into the revolutionary colony of Capua and the new-burgess town of Neapolis, and allowed himself to be blockaded there. Sulla's troops, hitherto not without apprehension as they compared their weak numbers with those of the enemy, had by this victory gained a full conviction of their military superiority; instead of pausing himself to besiege the remains of the defeated army, Sulla left the towns where they took shelter to be invested, and advanced along the Appian highway against Teanum, where Scipio was posted. To him also, before beginning battle, he made fresh proposals for peace; apparently in good earnest. Scipio, weak as he was, entered into them; an armistice was concluded; between Cales and Teanum the two generals, both members of the same noble *gens*, both men of culture and refinement and for many years colleagues in the senate, met in personal conference; they entered upon the several questions; they made such progress, that Scipio despatched a messenger to Capua to procure the opinion of his colleague. Meanwhile the soldiers of the two camps mingled; the Sullans, copiously furnished with money by their general, had no great difficulty in persuading the recruits—not too

Sulla gains a victory over Norbanus at Mount Tifata.

Defection of Scipio's army.

eager for warfare—over their cups that it was better to have them as comrades than as foes; in vain Sertorius warned the general to put a stop to this dangerous intercourse. The agreement, which had seemed so near, was not effected; it was Scipio who denounced the armistice. But Sulla maintained that it was too late and that the agreement had been already concluded; whereupon Scipio's soldiers, under the pretext that their general had wrongfully denounced the armistice, passed over *en masse* to the ranks of the enemy. The scene closed with an universal embracing, at which the commanding officers of the revolutionary army had to look on. Sulla gave orders that the consul should be summoned to resign his office, which he did, and should along with his staff be escorted by his cavalry to whatever point they desired; but Scipio was hardly set at liberty when he resumed the insignia of his dignity and began afresh to collect troops, without however executing anything further of moment. Sulla and Metellus took up winter quarters in Campania and, after the failure of a second attempt to come to terms with Norbanus, maintained the blockade of Capua during the winter.

Preparations on both sides.

The results of the first campaign in favour of Sulla were the submission of Apulia, Picenum, and Campania, the dissolution of the one, and the vanquishing and blockading of the other, consular army. The Italian communities, compelled severally to choose between their two oppressors, already entered in many instances into negotiations with him, and caused the political rights which had been won from the opposition-party to be guaranteed to them by formal separate treaties on the part of the general of the oligarchy. Sulla cherished the distinct expectation, and intentionally made boast of it, that he would overthrow the revolutionary government in the next campaign and again march into Rome.

But despair seemed to furnish the revolution with fresh energies. The consulship was committed to two of its most decided leaders, to Carbo for the third time and to Gaius Marius the younger; the circumstance that the latter, who was just twenty years of age, could not legally be invested with the consulship, was as little heeded as any other point of the constitution. Quintus Sertorius, who in this and

other matters proved an inconvenient critic, was ordered to proceed to Etruria with a view to procure new levies, and thence to his province Hither Spain. To replenish the treasury, the senate was obliged to decree the melting down of the gold and silver vessels of the temples in the capital; that the produce was considerable, is clear from the fact that after several months' warfare there was still on hand nearly £600,000 (14,000 pounds of gold and 6000 pounds of silver). In the considerable portion of Italy, which still voluntarily or under compulsion adhered to the revolution, warlike preparations were prosecuted with vigour. Newly-formed divisions of some strength came from Etruria, where the communities of new burgesses were very numerous, and from the region of the Po. The veterans of Marius in great numbers ranged themselves under the standards at the call of his son. But nowhere were preparations made for the struggle against Sulla with such eagerness as in the insurgent Samnium and some districts of Lucania. It was owing to anything but devotion towards the revolutionary Roman government, that numerous contingents from the Oscan districts reinforced their armies; but it was well understood there that an oligarchy restored by Sulla would not acquiesce in the *de facto* independence of these lands as the lax Cinnan government had now done; and therefore the primitive rivalry between the Sabellians and the Latins was roused afresh in the struggle against Sulla. For Samnium and Latium this war was as much a national struggle as the wars of the fifth century; they strove not for a greater or less amount of political rights, but for the purpose of appeasing long-suppressed hate by the annihilation of their antagonist. It was no wonder, therefore, that the war in this region bore a character altogether different from the conflicts elsewhere, that no compromise was attempted there, that no quarter was given or taken, and that the pursuit was continued to the very uttermost.

82. Thus the campaign of 672 was begun on both sides with augmented military resources and increased animosity. The revolution in particular threw away the scabbard: at the suggestion of Carbo the Roman comitia outlawed all the senators that should be found in Sulla's camp. Sulla was

silent; he probably thought that they were pronouncing sentence beforehand on themselves.

Sulla proceeds to Latium to oppose the younger Marius.

The army of the Optimates was divided. The proconsul Metellus undertook, resting on the support of the Picenian insurrection, to advance to Upper Italy, while Sulla marched from Campania straight against the capital. Carbo threw himself in the way of the former; Marius would encounter the main army of the enemy in Latium. Advancing along the Via Latina, Sulla fell in with the enemy not far from Signia; they retired before him as far as the so-called "Port of Sacer," between Signia and the chief stronghold of the Marians, the strong Praeneste. There Marius drew up his force for battle. His army was about 40,000 strong, and he was in savage fury and personal bravery the true son of his father; but his troops were not the well-trained bands with which the latter had fought his battles, and still less could this inexperienced young man bear comparison with the old master of war. His troops soon gave way; the defection of a division even during the battle accelerated the defeat. More than the half of the Marians were dead or prisoners; the remnant, unable either to keep the field or to gain the other bank of the Tiber, was compelled to seek protection in the neighbouring fortresses; the capital, which they had neglected to provision, was irrecoverably lost. In consequence of this Marius gave orders to Lucius Brutus Damasippus the praetor commanding there to evacuate it, but before doing so to put to death all the notable men, hitherto spared, of the opposite party. This injunction, by which the son even outdid the proscriptions of his father, was carried into effect; Damasippus made a pretext for convoking the senate, and the marked men were struck down partly in the sitting itself, partly on their flight from the senate-house. Notwithstanding the thorough clearance previously effected, there were still found several victims of note. Such were the late aedile Publius Antistius, the father-in-law of Gnaeus Pompeius, and the late praetor Gaius Carbo, son of the well-known friend and subsequent opponent of the Gracchi (p. 138), since the death of so many men of more distinguished talent the two best judicial orators in the desolated

His victory at Sacriportus.

Democratic massacres in Rome.

Forum; the consular Lucius Domitius, and above all the venerable *pontifex maximus* Quintus Scaevola, who had escaped the dagger of Fimbria only to bleed to death during these last throes of the revolution in the vestibule of the temple of Vesta entrusted to his guardianship. With speechless horror the multitude saw the corpses of these last victims of the reign of terror dragged through the streets, and thrown into the river.

Siege of Praeneste.

The broken bands of Marius threw themselves into Norba and Praeneste, strong cities of new burgesses in the neighbourhood: Marius in person with the treasure and the greater part of the fugitives entered the latter. Sulla left an able officer, Quintus Ofella, before Praeneste just as he had done in the previous year before Capua, with instructions not to expend his strength in the siege of the strong town, but to enclose it with an extended line of blockade and starve it into surrender. He himself advanced from different sides upon the capital, which as well as the whole surrounding district he found abandoned by the enemy, and occupied without resistance. He barely took time to compose the minds of the people by an address and to make the most necessary arrangements, and immediately passed on to Etruria, that in concert with Metellus he might dislodge his antagonists from Northern Italy.

Occupation of Rome.

Metellus against Carbo in Northern Italy.

Metellus had meanwhile encountered and defeated Carbo's lieutenant Carrinas at the river Aesis (Esino between Ancona and Sinigaglia), which separated the district of Picenum from the Gallic province; when Carbo in person came up with his superior army, Metellus had been obliged to abstain from any farther advance. But on the news of the battle at Sacriportus, Carbo, anxious about his communications, had retreated to the Flaminian road, with a view to take up his headquarters at its rallying point Ariminum, and from that point to hold the passes of the Apennines on the one hand and the valley of the Po on the other. In this retrograde movement different divisions fell into the hands of the enemy, and not only so, but Sena Gallica was stormed and Carbo's rearguard was broken in a brilliant cavalry engagement by Pompeius; nevertheless Carbo attained on the whole his object. The consular Norbanus took the com-

Carbo assailed on three sides of Etruria.

mand in the valley of the Po; Carbo himself proceeded to Etruria. But the march of Sulla with his victorious legions to Etruria altered the position of affairs; soon three Sullan armies from Gaul, Umbria, and Rome established communications with each other. Metellus with the fleet went past Ariminum to Ravenna, and at Faventia cut off the communication between Ariminum and the valley of the Po, into which he sent forward a division along the great road to Placentia under Marcus Lucullus, the quaestor of Sulla and brother of his admiral in the Mithradatic war. The young Pompeius and his contemporary and rival Crassus penetrated from Picenum by mountain-paths into Umbria and gained the Flaminian road at Spoletium, where they defeated Carbo's legate Carrinas and shut him up in the town; he succeeded, however, in escaping from it on a rainy night and making his way, though not without loss, to the army of Carbo. Sulla himself marched from Rome into Etruria with his army in two divisions, one of which advancing along the coast defeated the corps opposed to it at Saturnia (between the rivers Ombrone and Albegna); the second led by Sulla in person fell in with the army of Carbo in the valley of the Clanis, and sustained a successful conflict with his Spanish cavalry. But the pitched battle which was fought between Carbo and Sulla in the region of Chiusi, although it ended without being properly decisive, was so far at any rate in favour of Carbo that Sulla's victorious advance was checked.

Conflicts about Praeneste.

In the vicinity of Rome also events appeared to assume a more favourable turn for the revolutionary party, and the war seemed as if it would again be drawn chiefly towards this region. For, while the oligarchic party were concentrating all their energies on Etruria, the democracy everywhere put forth the utmost efforts to break the blockade of Praeneste. Even the governor of Sicily Marcus Perpenna set out for that purpose; it does not appear, however, that he reached Praeneste. Nor was the very considerable corps under Marcius, detached by Carbo, more successful; assailed and defeated by the troops of the enemy which were at Spoletium, demoralized by disorder, want of supplies, and mutiny, one portion went to Carbo, another to Ariminum,

the rest dispersed. Help in earnest on the other hand came from Southern Italy. There the Samnites under Pontius of Telesia, and the Lucanians under their experienced general Marcus Lamponius, set out without its being possible to prevent their departure, were joined in Campania where Capua still held out by a division of the garrison under Gutta, and thus to the number, it was said, of 70,000 marched upon Praeneste. Thereupon Sulla himself, leaving behind a corps against Carbo, returned to Latium and took up a well-chosen position in the defiles in front of Praeneste, where he intercepted the route of the relieving army.* In vain the garrison attempted to break through the lines of Ofella, in vain the relieving army attempted to dislodge Sulla; both remained immoveable in their strong positions, even after Damasippus, sent by Carbo, had reinforced the relieving army with two legions.

Successes of the Sullans in Upper Italy.

But while the war stood still in Etruria and in Latium, matters came to a decision in the valley of the Po. There the general of the democracy, Gaius Norbanus, had hitherto maintained the ascendancy, had attacked Marcus Lucullus the legate of Metellus with superior force and compelled him to shut himself up in Placentia, and had at length turned against Metellus in person. He encountered the latter at Faventia, and immediately made his attack late in the afternoon with his troops fatigued by their march; the consequence was a complete defeat and the total breaking up of his corps, of which only about 1000 men returned to Etruria. On the news of this battle Lucullus sallied from Placentia, and defeated the division left behind to oppose him at Fidentia (between Piacenza and Parma). The Lucanian troops of Albinovanus deserted in a body: their leader made up for his hesitation at first by inviting the chief officers of the revolutionary army to banquet with him and causing them to be put to death; in general

* It is stated, that Sulla occupied the defile by which alone Praeneste was accessible (App. 1, 90); and the sequel showed that the road to Rome was open to him as well as to the relieving army. Beyond doubt Sulla posted himself on the cross road which turns off from the Via Latina, along which the Samnites advanced, at Valmontone towards Palestrina; in this case Sulla communicated with the capital by the Praenestine, and the enemy by the Latin or Labican, road.

every one, who could do so, now concluded his peace. Arminium with all its stores and treasures fell into the power of Metellus; Norbanus embarked for Rhodes; the whole land between the Alps and Apennines acknowledged the government of the Optimates. The troops hitherto employed there were enabled to turn to the attack of Etruria, the last province where their antagonists still kept the field. When Carbo received this news in the camp at Clusium, he lost his resolution; although he had still a considerable body of troops under his orders, he secretly escaped from his headquarters and embarked for Africa. Part of his abandoned troops followed the example which their general had set, and went home; part of them were destroyed by Pompeius: Carrinas gathered together the remainder and led them to Latium to join the army of Praeneste. There no change had in the meanwhile taken place; and the final decision drew nigh. The troops of Carrinas were not numerous enough to shake Sulla's position; the vanguard of the army of the oligarchical party, hitherto employed in Etruria, was approaching under Pompeius; in a few days the net would be drawn tight around the army of the democrats and the Samnites.

Etruria occupied by the Sullans.

Its leaders then determined to desist from the relief of Praeneste and to throw themselves with all their united strength on Rome, which was only a good day's march distant. By so doing they were, in a military point of view, ruined; their line of retreat, the Latin road, would by such a movement fall into Sulla's hands; and, even if they got possession of Rome, they would be infallibly crushed there, enclosed as they would be within a city by no means fitted for defence, and wedged in between the far superior armies of Metellus and Sulla. Safety, however, was no longer thought of; revenge alone dictated this march to Rome, the last outbreak of fury in the passionate revolutionists and especially in the despairing Sabellian nation. Pontius of Telesia was in earnest, when he called out to his followers that, in order to get rid of the wolves which had robbed Italy of freedom, the forest in which they harboured must be destroyed. Never was Rome in more fearful peril than on the 1st November, 672, when Pontius, Lamponius,

The Samnites and democrats attack Rome.

82.

Carrinas, Damasippus advanced along the Latin road towards Rome, and encamped about a mile from the Colline gate. It was threatened with a day like the 20th July, 365 U.C. or the 15th June, 455 A.D.—the days of the Celts and the Vandals. The time was gone by when a *coup de main* against Rome was a foolish enterprise, and the assailants could have no want of connections in the capital. The band of volunteers which sallied from the city, mostly youths of quality, was scattered like chaff before the immense superiority of force. The only hope of safety rested on Sulla. The latter, on receiving accounts of the departure of the Samnite army in the direction of Rome, had likewise set out in all haste to the assistance of the capital. The appearance of his foremost horsemen under Balbus in the course of the morning revived the sinking courage of the citizens; about midday he appeared in person with his main force, and immediately drew up his ranks for battle at the temple of the Erycine Aphrodite before the Coiline gate (not far from Porta Pia). His officers adjured him not to send the troops exhausted by the forced march at once into action; but Sulla took into consideration what the night might bring on Rome, and, late as it was in the afternoon, ordered the attack. The battle was obstinately contested and bloody. The left wing of Sulla, which he led in person, fell back as far as the city wall, so that it became necessary to close the city gates; stragglers even brought accounts to Ofella that the battle was lost. But on the right wing Marcus Crassus overthrew the enemy and pursued him as far as Antemnae; this somewhat relieved the left wing also, and an hour after sunset it in turn began to gain ground. The fight continued the whole night and even on the following morning; it was only the defection of a division of 3000 men, who immediately turned their arms against their former comrades, that put an end to the struggle. Rome was saved. The army of the insurgents, for which there was no retreat, was completely extirpated. The prisoners taken in the battle—between 3000 and 4000 in number, including the generals Damasippus, Carrinas, and the severely wounded Pontius—were by Sulla's orders on the third day after the battle brought to the Villa Publica in the Campus Martius

389.

Battle at the Colline gate.

Slaughter of the prisoners.

and there massacred to the last man, so that the clatter of arms and the groans of the dying were distinctly heard in the neighbouring temple of Bellona, where Sulla was just holding a meeting of the senate. It was a ghastly execution, and it ought not to be excused; but it is not right to forget that those very men who perished there had fallen like a band of robbers on the capital and the burgesses, and, had they found time, would have destroyed them as far as fire and sword can destroy a city and its citizens.

Sieges.

With this battle the war was, in the main, at an end. The garrison of Praeneste surrendered, when it learned the issue of the battle of Rome from the heads of Carrinas and other officers thrown over the walls. The leaders, the consul Gaius Marius and the son of Pontius, after having failed in an attempt to escape, fell on each other's swords. The multitude cherished the hope, in which it was confirmed by Cethegus, that the victor would even now have mercy upon them. But the times of mercy were past. The more unconditionally Sulla had up to the last moment granted full pardon to those who came over to him, the more inexorable he showed himself toward the leaders and communities that had held out to the end. Of the Praenestine prisoners, 12,000 in number, most of the Romans and individual Praenestines as well as the women and children were released, but the Roman senators, almost all the Praenestines and the whole of the Samnites, were disarmed and slaughtered; and the rich city was given up to pillage. It was natural that, after such an occurrence, the cities of new burgesses which had not yet passed over should continue their resistance with the utmost obstinacy. In the Latin town of Norba for instance, when Aemilius Lepidus got into it by treason, the citizens killed each other and set fire themselves to their town, solely in order to deprive their executioners of vengeance and of booty. In Lower Italy Neapolis had already been taken by assault, and Capua had, as it would seem, been voluntarily surrendered; but Nola was only evacuated by the Samnites in 674. On his flight from Nola the last surviving leader of note among the Italians, the consul of the insurgents in the hopeful year 664, Gaius Papius Mutilus, disowned by his wife to whom he had

Praeneste.

Norba.

Nola.

80.

90.

stolen in disguise and with whom he had hoped to find an asylum, fell on his sword in Teanum before the door of his own house. As to Samnium, the dictator declared that Rome would have no rest so long as Samnium existed, and that the Samnite name ought therefore to be extirpated from the earth; and, as he verified these words in terrible fashion on the prisoners taken before Rome and in Praeneste, so he appears to have also undertaken a raid for the purpose of laying waste the country, to have captured
80. Aesernia* (674?), and to have converted that hitherto flourishing and populous region into the desert which it has since remained. In the same manner Tuder in Umbria was stormed by Marcus Crassus. A longer resistance was offered in Etruria by Populonium and above all by the impregnable Volaterrae, which gathered out of the remains of the beaten party an army of four legions, and stood a two years' siege conducted first by Sulla in person and then by the former praetor Gaius Carbo, the brother of the democratic consul, till at length in the third year after the battle at the Colline
79. gate (675) the garrison capitulated on condition of free departure. But in this terrible time neither military law nor military discipline was regarded; the soldiers raised a cry of treason and stoned their too compliant general; a troop of horse sent by the Roman government cut down the garrison as it withdrew in terms of the capitulation. The victorious army was distributed throughout Italy, and all the insecure places were furnished with strong garrisons: under the iron hand of the Sullan officers the last quiverings of the revolutionary and national opposition slowly died away.

The provinces. There was still work to be done in the provinces. Sardinia had been speedily wrested by Lucius Philippus from the governor of the revolutionary government Quintus
82. Antonius (672), and Transalpine Gaul offered little or no resistance; but in Sicily, Spain, and Africa the cause of the party defeated in Italy seemed by no means lost. Sicily was held for them by the trustworthy governor Marcus

* Hardly any other name, probably, can be concealed under the corrupt reading in Liv. 89 *mtam in Samnio*; comp. Strabo, v. 3, 10.

Perpenna. Quintus Sertorius had the skill to attach to himself the provincials in Hither Spain, and to form from among the Romans settled in that quarter a not inconsiderable army, which in the first instance closed the passes of the Pyrenees: in this he had given fresh proof that, wherever he was stationed, he was in his place, and amidst the incapables of the revolution was the only man practically useful. In Africa the governor Hadrianus, who followed out the work of revolutionizing too thoroughly and began to give liberty to the slaves, had been, on occasion of a tumult instigated by the Roman merchants of Utica, attacked in his official residence and burnt with his attendants (672); 82.
nevertheless the province adhered to the revolutionary government, and Cinna's son-in-law, the young and able Gnaeus Domitius Ahenobarbus, was invested with the supreme command there. Propagandism had even been carried from thence into the client-states, Numidia and Mauretania. Their legitimate rulers, Hiempsal II. son of Gauda, and Bogud son of Bocchus, adhered to Sulla; but with the aid of the Cinnans the former had been dethroned by the democratic pretender Hiarbas, and similar feuds agitated the Mauretanian kingdom. The consul Carbo who had fled from Italy tarried on the island Cossyra (Pantellaria) between Africa and Sicily, at a loss, apparently, whether he should flee to Egypt or should attempt to renew the struggle in one of the faithful provinces.

Sulla sent to Spain Gaius Annius and Gaius Valerius Flaccus, the former as governor of Further Spain, the latter as governor of the province of the Ebro. They were spared the difficult task of opening up the passes of the Pyrenees by force, in consequence of the general who was sent thither by Sertorius having been killed by one of his officers and his troops having thereafter melted away. Sertorius, much too weak to maintain an equal struggle, hastily collected the nearest divisions and embarked at New Carthage—for what destination he knew not himself, perhaps for the coast of Africa, or for the Canary Islands—it mattered little whither, provided only Sulla's arm did not reach him. Spain then willingly submitted to the Sullan magistrates (about 673) and Flaccus fought successfully with the Celts, through 81.

Spain.

Sertorius embarks.

whose territory he marched, and with the Spanish Celti-
80. berians (674).

Sicily. Gnaeus Pompeius was sent as propraetor to Sicily, and, when he appeared on the coast with 120 sail and six legions, the island was evacuated by Perpenna without resistance. Pompeius sent a squadron thence to Cossyra, which captured the Marian officers sojourning there. Marcus Brutus and the others were immediately executed; but Pompeius had enjoined that the consul Carbo should be brought before himself at Lilybaeum in order that, unmindful of the protection accorded to him in a season of peril by that very man (p. 349), he might personally hand him over to the execu-
82. tioner (672).

Africa. Having been ordered to go on to Africa, Pompeius with his army, which was certainly far more numerous, defeated the not inconsiderable forces collected by Ahenobarbus and Hiarbas, and, declining for the time to be saluted as *imperator*, he at once gave the signal for the assault of the enemy's camp. He thus became master of the enemy in one day; Ahenobarbus was among the fallen: with the aid of king Bogud, Hiarbas was seized and slain at Bulla, and Hiempsal was reinstated in his hereditary kingdom; a great razzia against the inhabitants of the desert, among whom a number of Gaetulian tribes recognized as free by Marius were made subject to Hiempsal, revived in Africa also the fallen repute of the Roman name: in forty days after Pompeius' landing
80. in Africa all was at an end (674?). The senate instructed him to break up his army—an implied hint that he was not to be allowed a triumph, to which as an extraordinary magistrate he could according to precedent make no claim. The general murmured secretly, the soldiers loudly; it seemed for a moment as if the African army would revolt against the senate and Sulla would have to take the field against his son-in-law. But Sulla yielded, and allowed the young man to boast of being the only Roman who had become a triumphator before he was a senator (12 March,
79. 675); in fact the "Fortunate," not perhaps without a touch of irony, saluted the youth on his return from these easy exploits as the "Great."

Fresh dif- In the East also, after the embarkation of Sulla in the

spring of 671, there had been no cessation of warfare. The restoration of the old state of things and the subjugation of the several towns cost in Asia as in Italy various bloody struggles. Against the free city of Mytilene in particular Lucius Lucullus was obliged at length to bring up troops, after having exhausted all gentler measures; and even a victory in the open field did not put an end to the obstinate resistance of the citizens. ficulties with [83. Mithradates.

Meanwhile the Roman governor of Asia, Lucius Murena, had fallen into fresh difficulties with king Mithradates. The latter had since the peace busied himself in strengthening anew his dominion, which was shaken even in the northern provinces; he had pacified the Colchians by appointing his able son Mithradates as their governor; he had then made away with that son, and was now preparing for an expedition into his Bosporan kingdom. The assertion of Archelaus who had meanwhile been obliged to seek an asylum with Murena (p. 326), that these preparations were directed against Rome, induced Murena, under the pretext that Mithradates still kept possession of Cappadocian frontier districts, to move his troops towards the Cappadocian Comana and to violate the Pontic frontier (671). Mithradates contented himself 83. with complaining to Murena and, when this was in vain, to the Roman government. In fact commissioners from Sulla made their appearance to dissuade the governor, but he did not submit; on the contrary he crossed the Halys and entered on the undisputed territory of Pontus, whereupon Mithradates resolved to repel force by force. His general Gordius had to detain the Roman army till the king came up with far superior forces and compelled battle; Murena was vanquished and with great loss driven back over the Roman frontier to Phrygia, and the Roman garrisons were expelled from all Cappadocia. Murena had the effrontery, no doubt, to call himself the victor and to assume the title of *imperator* on account of these events (672); but the 82. sharp lesson and a second admonition from Sulla induced him at last to push the matter no farther; the peace Second peace. between Rome and Mithradates was renewed (673). 81.

This foolish feud, while it lasted, had postponed the reduction of the Mytilenaeans; it was only after a long siege Capture of Mytilene.

by land and by sea, in which the Bithynian fleet rendered good service, that Murena's successor succeeded in taking the city by storm (675).

79. General peace.

The ten years' revolution and insurrection were at an end in the West and in the East; the state had once more unity of government and peace within and without. After the terrible convulsions of the last years even this rest was a relief. Whether it was to furnish more than a mere relief; whether the remarkable man, who had succeeded in the difficult task of vanquishing the public foe and in the more difficult work of subduing the revolution, would be able to meet satisfactorily the most difficult task of all—the restoration of social and political order shaken to its very foundations—remained to be decided hereafter.

CHAPTER X.

THE SULLAN CONSTITUTION.

The restoration. 83.

About the time when the first pitched battle was fought between Romans and Romans, in the night of the 6th July 671, the venerable temple, which had been erected by the kings, dedicated by the youthful republic, and spared by the storms of five hundred years—the temple of the Roman Jupiter in the Capitol—perished in the flames. It was no augury, but it was an image of the state of the Roman constitution. This, too, lay in ruins and needed reconstruction. The revolution was no doubt vanquished, but the victory was far from implying as a matter of course the restoration of the old government. The mass of the aristocracy certainly was of opinion that now, after the death of the two revolutionary consuls, it would be sufficient to make arrangements for the ordinary supplemental election and to leave it to the senate to take such steps as should seem farther requisite for the rewarding of the victorious army, for the punishment of the most guilty revolutionists, and possibly also for the prevention of similar outbreaks. But Sulla, in whose hands the victory had concentrated for the moment all power, formed a more correct judgment of things and of men. The aristocracy of Rome in its best epoch had not risen above an adherence—partly noble and partly narrow—to traditional forms; how could the clumsy collegiate government of this period be expected to carry out with energy and thoroughness a comprehensive reform of the state? And at the present moment, when the recent crisis had swept away almost all the leading men of the senate, the vigour and intelligence requisite for such an enterprise were less than ever to be found there. How thoroughly useless was the pure aristocratic blood, and how little doubt Sulla had as to its worthlessness, is shown by the fact that, with

the exception of Quintus Metellus who was related to him by marriage, he selected all his instruments out of what was previously the middle party and the deserters from the democratic camp—such as Lucius Flaccus, Lucius Philippus, Quintus Ofella, Gnaeus Pompeius. Sulla was as much in earnest about the restoration of the old constitution as the most vehement aristocratic emigrant; he understood however, not perhaps to the full extent—for how in that case could he have put hand to the work at all?—but better at any rate than his party, the enormous difficulties which attended this work of restoration. Comprehensive concessions so far as concession was possible without affecting the essence of oligarchy, and the establishment of an energetic system of repression and prevention, were both in his view unavoidable; and he saw clearly that the senate as it stood would refuse or mutilate every concession, and would parliamentarily ruin every systematic reconstruction. If Sulla had already after the Sulpician revolution carried out what he deemed necessary in both respects without asking much of their advice, he was now determined, under circumstances of far more severe and intense excitement, to restore the oligarchy—not with the aid, but in spite, of the oligarchs—by his own hand.

Sulla regent of Rome.

Sulla, however, was not now consul as he had been then, but was furnished merely with proconsular, that is to say, purely military power: he needed an authority preserving with all possible strictness constitutional forms, but yet extraordinary, in order to impose his reform on friends and foes. In a letter to the senate he announced to them that it seemed to him indispensable that they should place the regulation of the state in the hands of a single man equipped with unlimited plenitude of power, and that he deemed himself qualified to fulfil this difficult task. This proposal, disagreeable as it was to many, was under the existing circumstances a command. By direction of the senate its chief, the interrex Lucius Valerius Flaccus the father, as interim holder of the supreme power submitted to the burgesses the proposal, that the proconsul Lucius Cornelius Sulla should now receive a retrospective approval of all his official acts as consul and proconsul, and should

be empowered in future to adjudicate without appeal on the life and property of the burgesses, to deal at his pleasure with the state-domains, to alter at discretion the boundaries of Rome, of Italy, and of the state, to dissolve or establish civic communities in Italy, to dispose of the provinces and dependent states, to confer the supreme *imperium* instead of the people and to nominate proconsuls and propraetors, and lastly to regulate the state for the future by means of new laws; that it should be left to his own judgment to determine when he had fulfilled his task and might deem it time to resign this extraordinary magistracy; and, in fine, that during its continuance it should depend on his pleasure whether the ordinary supreme magistracy should subsist side by side with his own or should remain in abeyance. As a matter of course, the proposal was adopted without opposition (Nov. 672); and now the new master of the state, who hitherto had as proconsul avoided entering the capital, appeared for the first time within the walls of Rome. This new office derived its name from the dictatorship, which had been practically abolished since the Hannibalic war (ii. 378); but, as besides his armed retinue he was preceded by twice as many lictors as the dictator of earlier times,* this new "dictatorship for the making of laws and the regulation of the commonwealth," as its official title ran, was in fact altogether different from the earlier magistracy which had been limited in point of duration and powers, had not excluded appeal to the burgesses, and had not annulled the ordinary magistracy. It much more resembled that of the *decemviri legibus scribundis*, who likewise came forward as an extra- 82.

* As according to reliable tradition the king himself was only attended by twelve lictors (Cic. *de Rep.* ii. 17, 31; Liv. i. 8, *et al.*; Appian, *B. C.* i. 100 differs) and the consuls were originally only accompanied by twelve lictors attached to them alternately month by month, the dictatorship cannot have had originally more lictors than twelve; and with this agrees the statement of Livy (*Ep.* 98) that no dictator before Sulla had twenty-four lictors. As to the contrary assertion of Polybius (iii. 87), we must not overlook that he is speaking of a magistracy which in his time had been for generations in abeyance, and that, as in his day the two consuls already appeared simultaneously with twelve lictors each, it was a natural theory that twenty-four should belong to the dictator. The circumstance that Dionysius (x. 24) and Plutarch (*Fab.* 4) in their embellishing narratives transfer the twenty-four lictors of the dictator to the older period, is doubtless in like manner the result of inference from this theory. There is nothing to hinder us from supposing that this arrangement was first practically carried out by Sulla, and thus abiding by the certainly not groundless statement of Livy.

ordinary government with unlimited fulness of powers superseding the ordinary magistracy, and practically at least administered their office as one which was unlimited in point of time. Or, we should rather say, this new office, with its absolute power based on a decree of the people and restrained by no set term or colleague, was no other than the old monarchy, which in fact just rested on the free engagement of the burgesses to obey one of their number as absolute lord. It was argued even by contemporaries in vindication of Sulla that a king is better than a bad constitution,* and it may be presumed that the title of dictator was only chosen to indicate that, as the former dictatorship implied a reassumption with various limitations (i. 276, 315, 344), so this new dictatorship involved a complete reassumption, of the regal power. Thus, singularly enough, the course of Sulla here also coincided with that on which Gaius Gracchus had entered with so wholly different a design. In this respect too the conservative party had to borrow from its opponents; the protector of the oligarchic constitution had himself to come forward as a tyrant, in order to avert the ever-impending *tyrannis*. There was not a little of defeat in this last victory of the oligarchy.

Executions.

Sulla had not sought and had not desired the difficult and dreadful labour of the work of restoration; but, as no other course was left to him but either to leave it in utterly incapable hands or to undertake it in person, he set himself to it with remorseless energy. First of all a settlement had to be effected in respect to the guilty. Sulla was personally inclined to pardon. Sanguine as he was in temperament, he could doubtless break forth into violent rage, and well might those beware who saw his eye gleam and his cheek colour; but the chronic vindictiveness, which characterized Marius in the irritability of his old age, was altogether foreign to Sulla's easy disposition. Not only had he borne himself with comparatively great moderation after the revolution of
88. 666 (p. 282); even the second revolution, which had perpetrated so fearful outrages and had affected him in person so severely, had not disturbed his equilibrium. At the same time that the executioner was dragging the bodies of his

* *Satius est uti regibus quam uti malis legibus* (*Ad Herenn.* ii. 26).

friends through the streets of the capital, he had sought to save the life of the blood-stained Fimbria, and, when the latter died by his own hand, had given orders for his decent burial. On landing in Italy he had earnestly offered to forgive and to forget, and no one who came to make his peace had been rejected. Even after the first successes he had negotiated in this spirit with Lucius Scipio; it was the revolutionary party, which had not only broken off these negotiations, but had subsequently, at the last moment before their downfall, resumed the massacres afresh and more fearfully than ever, and had in fact conspired with the old enemies of their country for the destruction of the city of Rome. The cup was now full. By virtue of his new official authority Sulla, immediately after assuming the regency, outlawed as enemies of their country all the civil and military officials who had taken an active part in favour of the revolution after the convention with Scipio (which according to Sulla's assertion was validly concluded), and such of the other burgesses as had in any marked manner aided its cause. Whoever killed one of these outlaws was not only exempt from punishment like an executioner duly fulfilling his office, but also obtained for the execution a compensation of 12,000 *denarii* (£480); any one on the contrary who befriended an outlaw, even the nearest relative, was liable to the severest punishment. The property of the proscribed was forfeited to the state like the spoil of an enemy; their children and grandchildren were excluded from a political career, and yet, so far as they were of senatorial rank, were bound to undertake their share of senatorial burdens. The last enactments also applied to the estates and the descendants of those who had fallen in conflict for the revolution—penalties which went even beyond those enjoined by the earliest law in the case of such as had borne arms against their fatherland. The most terrible feature in this system of terror was the indefiniteness of the proposed categories, against which there was immediate remonstrance in the senate, and which Sulla himself sought to remedy by directing the names of the proscribed to be publicly posted up and fixing the 1st June 673 as the final term for closing the lists of proscription. 81.

Proscription-lists.

Much as this bloody roll, swelling from day to day and amounting at last to 4700 names,* excited the just horror of the multitude, it at any rate checked in some degree the mere caprice of the executioners. It was not at least to the personal resentment of the regent that the mass of these victims were sacrificed; his furious hatred was directed solely against the Marians, the authors of the hideous mas-
87. 82. sacres of 667 and 672. By his command the tomb of the victor of Aquae Sextiae was broken open and his ashes were scattered in the Anio, the monuments of his victories over Africans and Germans were overthrown, and, as death had snatched himself and his son from Sulla's vengeance, his adopted nephew Marcus Marius Gratidianus, who had been twice praetor and was a great favourite with the Roman burgesses, was executed amid the most cruel tortures at the tomb of Catulus, who was the most to be regretted of all the Marian victims. In other cases also death had already swept away the most notable of his opponents: of the leaders there survived only Gaius Norbanus, who laid

* This total is given by Valerius Maximus, ix. 2, 1. According to Appian (*B. C.* i. 95), there were proscribed by Sulla nearly 40 senators, which number subsequently received some additions, and about 1600 equites; according to Florus (ii. 9, whence Augustine *de Civ. Dei*, iii. 28), 2000 senators and equites. According to Plutarch (*Sull.* 31), 520 names were placed on the list in the first three days; according to Orosius (v. 21), 580 names during the first days. There is no material contradiction between these various reports, for it was not senators and equites alone that were put to death, and the list remained open for months. When Appian, at another passage (i. 103), mentions as put to death or banished by Sulla, 15 consulars, 90 senators, 2600 equites, he there confounds, as the context shows, the victims of the civil war throughout with the victims of Sulla. The 15 consulars were—Quintus Catu-
102. lus, consul in 652; Marcus Antonius,
99. 97. 655; Publius Crassus, 657; Quintus
95. 94. Scaevola, 659; Lucius Domitius, 660;
90. Lucius Caesar, 664; Quintus Rufus,
88. 87–4. 666; Lucius Cinna, 667–670; Gnaeus
87. 87. Octavius, 667; Lucius Merula, 667;
86. Lucius Flaccus, 668; Gnaeus Carbo,
85. 81. } 669, 670, 672; Gaius Norbanus, 671;
82. 83. } Lucius Scipio, 671; Gaius Marius, 672; of whom fourteen were killed, and one, Lucius Scipio, was banished. When, on the other hand, the Livian account in Eutropius (v. 9) and Orosius (v. 22) specifies as swept away (*consumpti*) in the Social and Civil wars, 24 consulars, 7 praetorians, 60 aedilicians, 200 senators, the calculation includes partly the men who fell in the Italian war, such as the consulars Aulus Albinus, consul in 665; Titus Didius, 656; Publius Lupus, 664; Lucius Cato, 665; partly perhaps Quintus Metellus Numidicus (p. 227), Manius Aquillius, Gaius Marius the father, Gnaeus Strabo, whom we may certainly regard as also victims of that period, or other men whose fate is unknown to us. Of the fourteen consulars killed, three—Rufus, Cinna, and Flaccus—fell through military revolts, while eight Sullan and three Marian consulars fell as victims to the opposite party. On a comparison of the figures given above, 50 senators and 1000 equites were regarded as victims of Marius, 40 senators and 1600 equites as victims of Sulla; this furnishes a standard—at least not altogether arbitrary—for estimating the extent of the mischief on both sides.

hands on himself at Rhodes, while the *ecclesia* was deliberating on his surrender; Lucius Scipio, whose insignificance and probably also his noble birth procured for him indulgence and permission to end his days in peace at his retreat in Massilia; and Quintus Sertorius, who was wandering about as an exile on the coast of Mauretania. But yet the heads of slaughtered senators were piled up at the Servilian Basin, at the point where the *Vicus Jugarius* opened into the Forum, where the dictator had ordered them to be publicly exposed; and among men of the second and third rank in particular death reaped a fearful harvest. In addition to those who were placed on the list for their services in or on behalf of the revolutionary army with little discrimination, sometimes on account of money advanced to one of its officers or on account of relations of hospitality formed with such an one, the retaliation fell specially on the "hoarders"—those capitalists who had sat in judgment on the senators and had speculated in Marian confiscations; about 1600 of the equites, as they were called,* were inscribed on the proscription-list. In like manner the professional accusers, the worst scourge of the nobility, who made it their trade to bring men of the senatorial order before the equestrian courts, had now to suffer for it—"how comes it to pass," an advocate soon after asked, "that they have left to us the tribunals, when they were putting to death the accusers and judges?" The most savage and disgraceful passions raged without restraint for many months in Italy. In the capital a Celtic band was primarily charged with the executions, and Sullan soldiers and subaltern officers traversed for the same purpose the different districts of Italy; but every volunteer was also welcome, and the rabble high and low pressed forward not only to earn the rewards of murder, but also to gratify their own vindictive or covetous dispositions under the mantle of political prosecution. It sometimes happened that the assassination did not follow, but preceded, the placing of the name on the list of the proscribed. One example shows the way in which these executions took place. At Larinum, a town of new burgesses and favourable to

* The Sextus Alfenus, frequently mentioned in Cicero's oration on behalf of Publius Quinctius, was one of these.

Marian views, one Statius Albius Oppianicus, who had fled to Sulla's head-quarters to avoid a charge of murder, made his appearance after the victory as commissioner of the regent, deposed the magistrates of the town, installed himself and his friends in their room, and caused the person who had threatened to accuse him, along with his nearest relatives and friends, to be outlawed and killed. Numbers thus fell—including not a few decided adherents of the oligarchy—as the victims of private hostility or of their own riches: the fearful confusion, and the culpable indulgence which Sulla displayed in this as in every instance towards those more closely connected with him, prevented any punishment even of the ordinary crimes that were perpetrated amidst the disorder.

Confiscations.

The confiscated property was dealt with in a similar way. Sulla from political considerations sought to induce the respectable burgesses to take part in its purchase; a great portion of them, moreover, voluntarily pressed forward, and none more zealously than the young Marcus Crassus. Under the existing circumstances the utmost depreciation was inevitable; indeed, to some extent it was the necessary result of the Roman plan of selling the property confiscated by the state for a round sum payable in ready money. Moreover, the regent did not forget himself; while his wife Metella more especially and other persons high and low closely connected with him, even freedmen and boon-companions, were sometimes allowed to purchase without competition, sometimes had the purchase-money wholly or partially remitted. One of his freedmen, for instance, is said to have purchased a property of 6,000,000 sesterces (£60,000) for 2000 (£20), and one of his subalterns is said to have acquired by such speculations an estate of 10,000,000 sesterces (£100,000). The indignation was great and just; even during Sulla's regency an advocate asked whether the nobility had waged civil war solely for the purpose of enriching their freedmen and slaves. But in spite of this depreciation the whole proceeds of the confiscated estates amounted to not less than 350,000,000 sesterces (£3,500,000), which gives an approximate idea of the enormous extent of these confiscations falling chiefly on the wealthiest portion of

the burgesses. It was altogether a fearful visitation. There was no longer any process or any pardon; mute terror lay like a weight of lead on the land, and free speech was silenced in the market-place alike of the capital and of the country-town. The oligarchical reign of terror bore doubtless a different stamp from that of the revolution; while Marius had glutted his personal vengeance in the blood of his enemies, Sulla seemed to account terrorism in the abstract, if we may so speak, a thing necessary to the introduction of the new despotism, and to prosecute and make others prosecute the work of massacre almost with indifference. But the reign of terror presented an appearance all the more horrible, when it proceeded from the conservative side and was in some measure devoid of passion; the commonwealth seemed all the more irretrievably lost, when the frenzy and the crime on both sides were equally balanced.

Maintenance of the burgess-rights previously conferred.

In regulating the relations of Italy and of the capital, Sulla—although he otherwise in general treated as null all state-acts done during the revolution except in the transaction of current business—firmly adhered to the principle, which it had laid down, that every burgess of an Italian community was *ipso facto* a burgess also of Rome; the distinctions between burgesses and Italian allies, between old burgesses with better, and new burgesses with more restricted, privileges, were abolished, and remained so. In the case of the freedmen alone the unrestricted right of suffrage was again withdrawn, and the old state of matters was restored. To the aristocratic ultras this might seem a great concession; Sulla perceived that it was necessary to wrest these mighty levers out of the hands of the revolutionary chiefs, and that the rule of the oligarchy was not materially endangered by increasing the number of the burgesses.

Punishments inflicted on particular communities.

But with this concession in principle was combined a most rigid inquisition, conducted by special commissioners with the co-operation of the garrisons distributed throughout Italy, in respect to particular communities in all districts of the land. Some towns were rewarded; for instance Brundisium, the first community which had joined Sulla, now obtained the exemption from customs so important for such a sea-port; several were punished. The less guilty were

required to pay fines, to pull down their walls, to raze their citadels; in the case of those whose opposition had been most obstinate the regent confiscated a part of their territory, in some cases even the whole of it—as it certainly might be regarded in law as forfeited, whether they were to be treated as burgess-communities which had borne arms against their fatherland, or as allied states which had waged war with Rome contrary to their treaties of perpetual peace. In this case all the dispossessed burgesses—but these only—were deprived of their municipal, and at the same time of the Roman, franchise, receiving in return the lowest Latin rights.* Sulla thus avoided furnishing the opposition with any nucleus in Italian subject-communities of inferior rights; the homeless dispossessed necessarily soon disappeared in the mass of the proletariate. In Campania not only was the democratic colony of Capua done away and its domain given back to the state, as was naturally to be expected, but the island of Aenaria (Ischia) was also, probably about this time, withdrawn from the community of Neapolis. In Latium the whole territory of the large and wealthy city of Praeneste and probably of Norba also was confiscated, as was likewise that of Spoletium in Umbria. Sulmo in the Paelignian district was even razed. But the iron arm of the regent fell with especial weight on the two regions which had offered a serious resistance up to the end and even after the battle at the Colline gate—Etruria and Samnium. There a number of the most considerable communes, such as Florentia, Faesulae, Arretium, Volaterrae, were visited with total confiscation. Of the fate of Samnium we have already spoken; there was no confiscation there, but the land was laid waste for ever, its flourishing towns, even the former Latin colony

* Vol. i. p. 462. To this was added the peculiar aggravation that, while in other instances the right of the Latins like that of the *peregrini* implied membership in a definite Latin or foreign community, in this case—just as with the later freedmen of Latin and deditician rights (comp. p. 269 note)—it was without any such right of membership. The consequence was, that these Latins were destitute of the privileges attaching to a civic constitution, and, strictly speaking, could not even make a testament, since no one could execute a testament otherwise than according to the law of his town; they could doubtless, however, acquire under Roman testaments, and among the living could hold dealings with each other and with Romans or Latins in the forms of Roman law.

of Aesernia, were left in ruins, and the country was placed on the same footing with the Bruttian and Lucanian regions.

These arrangements as to the property of the Italian soil placed on the one hand those Roman domain lands which had been handed over in usufruct to the former allied communities and now on their dissolution reverted to the Roman government, and on the other hand the confiscated territories of the communities incurring punishment, at the disposal of the regent; and he employed them for the purpose of settling thereon the soldiers of the victorious army. Most of these new settlements were directed towards Etruria, as for instance to Faesulae and Arretium, others to Latium and Campania, where Praeneste and Pompeii among other places became Sullan colonies; to repeople Samnium was, as we have said, no part of the regent's design. A great part of these assignations took place after the Gracchan mode, so that the settlers were attached to an already existing town-community. The comprehensiveness of this settlement is shown by the number of allotments distributed, which is stated at 120,000. Nevertheless isolated portions of land were otherwise applied, as in the case of the lands bestowed on the temple of Diana at Mount Tifata; others, such as the Volaterran domain and part of the Arretine, remained undistributed; others in fine, according to the old abuse legally forbidden (p. 140) but now reviving, were taken possession of on the part of Sulla's favourites by the right of occupation. The objects which Sulla aimed at in this colonization were of a varied kind. In the first place, he thereby redeemed the pledge given to his soldiers. Secondly, he in so doing adopted the idea, in which the reform-party and the moderate conservatives concurred, and in accordance with which he had himself as early as 666 arranged the establishment of a number of colonies—the idea namely of augmenting the number of the small agricultural proprietors in Italy by a breaking up of the larger possessions on the part of the government; how seriously he had this at heart is shown by the renewed prohibition of the annexation of allotments. Lastly and especially, he saw in these settled soldiers as it were standing garrisons, who would protect his new constitution along with their own right of property.

Assignations to the soldiers.

88.

For this reason, where the whole territory was not confiscated, as at Pompeii, the colonists were not amalgamated with the town-community, but the old burgesses and the colonists were constituted as two bodies of burgesses associated within the same enclosing wall. In other respects these colonial foundations were made on the same legal basis and in the same military form as those of previous times; the circumstance that they were based not directly, like the older ones, but only indirectly on a law, inasmuch as the regent constituted them by virtue of the clause of the Valerian law to that effect, made no difference *de jure*. To designate them as military colonies in contrast with the older ones, is only justifiable in so far as the distinction between the soldier and the burgess, which was in other instances done away by the very colonization of the soldiers, was intended to remain and did remain in force in the Sullan colonies even after their establishment, and these colonies formed, as it were, the standing army of the senate.

The Cornelian freedmen in Rome.

Akin to this practical institution of a standing army for the senate was the measure by which the regent selected from the slaves of the proscribed upwards of 10,000 of the youngest and most vigorous men, and manumitted them in a body. These new Cornelians, whose civil existence was linked to the legal validity of the institutions of their patron, were designed to be a sort of body-guard for the oligarchy and to help it to command the city populace, on which, indeed, in the absence of a garrison everything in the capital primarily depended.

Abolition of the Gracchan institutions.

These extraordinary supports on which the regent made the oligarchy primarily to rest, weak and ephemeral as they doubtless appeared even to their author, were yet its only possible buttresses, unless expedients were to be resorted to —such as the formal institution of a standing army in Rome and other similar measures—which would have put an end to the oligarchy far sooner than the attacks of demagogues. The permanent foundation of the ordinary governing power of the oligarchy was of course necessarily the senate, with a power so increased and so concentrated that it presented a superiority to its non-organized opponents at every single point of attack. The system of compromises followed for

forty years was at an end. The Gracchan constitution, still spared in the first Sullan reform of 666, was now utterly abolished. Since the time of Gaius Gracchus the government had conceded, as it were, the right of *émeute* to the proletariate of the capital, and bought it off by regular distributions of corn to the burgesses domiciled there; Sulla abolished these largesses. Gaius Gracchus had organized and consolidated the order of capitalists by the letting of the tenths and customs of the province of Asia in Rome; Sulla abolished the system of middle-men, and converted the former contributions of the Asiatics into fixed taxes, which were assessed on the several districts according to the valuation-rolls drawn up for the purpose of gathering in the arrears.* Gaius Gracchus had by entrusting the office of jurymen to men of equestrian census procured for the capitalist class an indirect share in administration and in government, which proved not seldom stronger than the official executive; Sulla abolished the equestrian and restored the senatorial courts. Gaius Gracchus or at any rate the Gracchan period had conceded to the equites a special place at the popular festivals, such as the senators had for long possessed (ii. 340); Sulla abolished it and relegated the equites to the plebeian benches.† The equestrian order, created as such by Gaius Gracchus, was deprived of its political existence by Sulla. The senate was to exercise the supreme power in legislation, administration, and jurisdiction unconditionally, indivisibly, and permanently, and was to be distinguished also by outward tokens not merely as a privileged, but as the only privileged, order. 88.

* That Sulla's assessment of the five years' arrears and of the war expenses levied on the communities of Asia (Appian, *Mithr.* 62 *et al.*) formed a standard for the future, is shown by the facts, that the distribution of Asia into forty districts is referred to Sulla (Cassiodor. *Chron.* 670) and that the Sullan apportionment was assumed as a basis in the case of subsequent imposts (Cic. *pro Flacc.* 14, 32), and by the further circumstance, that on occasion of building a fleet in 672 the sums applied for that purpose were deducted from the payment of tribute (*ex pecunia vectigali populo Romano*: Cic. *Verr. l.* i. 35, 89). Lastly, Cicero (*ad Q. fr.* i. 1, 11, 33) directly says, that the Greeks "were not in a position of themselves to pay the tax imposed on them by Sulla without *publicani*."

† P. 120. Tradition has not indeed informed us by whom that law was issued, which rendered it necessary that the earlier privilege should be renewed by the Roscian theatre-law of 687 (Becker-Friedländer, iv. 531); but under the circumstances the author of that law was undoubtedly Sulla. 67.

Reorganization of the senate.

For this purpose the governing board had, first of all, to have its ranks filled up and to be itself placed on a footing of independence. The numbers of the senators had been fearfully reduced by the recent crises. Sulla no doubt now gave to those who were exiled by the equestrian courts liberty to return, for instance to the consular Publius Rutilius Rufus (p. 230), who however made no use of the permission, and to Gaius Cotta the friend of Drusus (p. 248); but this made only slight amends for the gaps which the revolutionary and reactionary reigns of terror had created in the ranks of the senate. Accordingly by Sulla's directions the senate had its complement extraordinarily made up by the addition of about 300 new senators, whom the assembly of the tribes had to nominate from among those of equestrian census, and whom they selected, as was natural, chiefly from the younger men of the senatorial houses on the one hand, and from Sullan officers and others brought into prominence by the last revolution on the other. For the future also the mode of admission to the senate was regulated anew and placed on an essentially different basis. As the constitution had hitherto stood, men entered the senate either through the summons of the censors, which was the proper and ordinary way, or through the holding of one of the three curule magistracies—the consulship, the praetorship, or the aedileship—to which since the passing of the Ovinian law a seat and vote in the senate had been *de jure* attached (ii. 336). The holding of an inferior magistracy, of the tribunate or the quaestorship, gave doubtless a claim *de facto* to a place in the senate—inasmuch as the censorial selection especially turned towards the men who had held such offices—but by no means a reversion *de jure*. Of these two modes of admission, Sulla abolished the former by setting aside—at least practically—the censorship, and altered the latter to the effect that the right of admission to the senate was attached to the quaestorship instead of the aedileship, and at the same time the number of quaestors to be annually nominated was raised to twenty.* The prero-

Its complement filled up by extraordinary election.

Admission to the senate through the quaestorship.

* How many quaestors had been hitherto chosen annually, is not known. After 487 there were eight of them— two urban, two military, and four naval, quaestors (i. 457, 468). To these there fell to be added the quaestors employed

267.

gative hitherto legally pertaining to the censors, although practically no longer exercised in its original serious import of deleting any senator from the roll, with a statement of the reasons for doing so, at the revisals which took place every five years (ii. 341)* likewise fell into abeyance for the future; the irremoveable character which had hitherto *de facto* belonged to the senators was thus finally fixed by Sulla. The total number of senators, which hitherto had probably not much exceeded the old normal number of 300 and often perhaps had not even reached it, was by these means considerably augmented, perhaps on an average doubled*—an augmentation which was rendered necessary by the great increase of the duties of the senate through the transference to it of the functions of jurymen. As, moreover, both the extraordinarily admitted senators and the quaestors were nominated by the *comitia tributa*, the senate, hitherto resting indirectly on the choice of the people (i. 349), was now thoroughly based on direct popular election; and thus made as close an approach to a representative government as was compatible with the nature of the oligarchy and the notions of antiquity generally. The senate had in course of time been converted from a corporation intended merely to advise the magistrates into a board commanding the magistrates

Abolition of the censorial supervision of the senate.

in the provinces (ii. 71). For the naval quaestors at Ostia, Cales, and so forth were by no means discontinued, and the military quaestors could not be employed elsewhere, since in that case the consul, when he appeared as commander-in-chief, would have been without a quaestor. Now, as down to Sulla's time there were nine provinces, and moreover two quaestors were sent to Sicily, he may possibly have found as many as eighteen quaestors in existence. But as the number of the supreme magistrates of this period was considerably less than that of their functions (p. 384), and the difficulty thus arising was constantly remedied by extension of the term of office and other expedients, and as generally the tendency of the Roman government was to limit as much as possible the number of magistrates, there may have been more quaestorial functions than quaestors, and it may be even that at this period no quaestor at all was sent to small provinces such as Cilicia. Certainly however there were, already before Sulla's time, more than eight quaestors.

* We cannot strictly speak of a fixed number of senators. Though the censors before Sulla prepared on each occasion a list of 300 persons, there always fell to be added to this list those non-senators who filled curule offices between the time when the list was drawn up and the preparation of the next one; and after Sulla there were as many senators as there were surviving quaestorians. But it may be probably assumed that Sulla meant to bring the senate up to 500 or 600 members; and this number results, if we assume that 20 new members, at an average age of 30, were admitted annually, and we estimate the average duration of the senatorial dignity at from 25 to 30 years. At a numerously attended sitting of the senate in Cicero's time 417 members were present.

and self-governing; it was only a consistent advance in the same direction, when the right of nominating and cancelling senators originally belonging to the magistrates was withdrawn from them, and the senate was placed on the same legal basis on which the magistrates' power itself rested. The extravagant prerogative of the censors to revise the list of the senate and to erase or add names at pleasure was in reality incompatible with an organized oligarchic constitution. As provision was now made for a sufficient regular recruiting of its ranks by the election of the quaestors, the censorial revisions became superfluous; and by their abeyance the essential principle at the bottom of every oligarchy, the irremoveable character and life-tenure of the members of the ruling order who obtained seat and vote, was definitively consolidated.

Regulations [88. as to the burgesses.

In respect to legislation Sulla contented himself with reviving the regulations made in 666, and securing to the senate the legislative initiative, which had long belonged to it practically, by legal enactment at least as against the tribunes. The burgess-body remained formally sovereign; but so far as its general assemblies were concerned, while it seemed to the regent necessary carefully to preserve their names, he was still more careful to prevent any real activity on their part. Sulla dealt even with the franchise itself in the most contemptuous manner; he made no difficulty either in conceding it to the new burgess-communities, or in bestowing it on Spaniards and Celts *en masse*; in fact, probably not without design, no steps were taken at all for the adjustment of the burgess-roll, which nevertheless after so violent revolutions stood in urgent need of a revision, if the government was at all in earnest with the legal privileges attaching to it. The legislative functions of the comitia, however, were not directly restricted; there was no need in fact for doing so, for in consequence of the better secured initiative of the senate the people could not readily against the will of the government intermeddle with administration, finance, or criminal jurisdiction, and its legislative co-operation was once more reduced in substance to the right of giving assent to alterations of the constitution.

Of greater moment was the participation of the burgesses

in the elections—a participation which, apparently, could not be dispensed with without disturbing more than Sulla's superficial restoration could or would disturb. The interferences of the movement party in the sacerdotal elections were set aside; not only the Domitian law of 650, which transferred the election of the supreme priesthoods generally to the people (p. 214), but also the similar older enactments as to the *Pontifex Maximus* and the *Curio Maximus* (ii. 379) were cancelled by Sulla, and the colleges of priests received back the right of self-completion in its original absoluteness. In the case of elections to the magistracies the mode hitherto pursued was on the whole retained; except in so far as the new regulation of the military command to be mentioned immediately certainly involved as its consequence a material restriction of the powers of the burgesses, and indeed in some measure transferred the right of bestowing the appointment of generals from the burgesses to the senate. It does not even appear that Sulla now resumed the previously attempted restoration of the Servian voting-arrangement (p. 281); whether it was that he regarded the particular composition of the voting-divisions as altogether a matter of indifference, or whether it was that this older arrangement seemed to him to augment the dangerous influence of the capitalists. Only the qualifications were restored and partially raised. The limit of age requisite for the holding of each office was enforced afresh; as was also the enactment that every candidate for the consulship should have previously held the praetorship, and every candidate for the praetorship should have previously held the quaestorship, whereas the aedileship was allowed to be passed over. The various attempts that had been recently made to establish a *tyrannis* under the form of a consulship continued for several successive years led to special rigour in dealing with this abuse; and it was enacted that at least two years should elapse between the holding of one magistracy and the holding of another, and at least ten years should elapse before the same office could be held a second time. In this latter enactment the earlier ordinance of 412 (i. 344) was revived, instead of the absolute prohibition of all re-election to the consulship, which had been the favourite idea of the

Co-optation restored in the priestly colleges. 104.

Regulating of the qualifications for office.

342.

most recent ultra-oligarchical epoch (p. 75). On the whole, however, Sulla left the elections to take their course, and sought merely to fetter the authority of the magistrates in such a way that—let the incalculable caprice of the comitia call to office whomsoever it might—the person elected should not be in a position to rebel against the oligarchy.

Weakening of the tribunate of the people.

The supreme magistrates of the state were at this period practically the three colleges of the tribunes of the people, the consuls and praetors, and the censors. They all emerged from the Sullan restoration with materially diminished rights, more especially the tribunician office, which appeared to the regent an instrument indispensable doubtless for senatorial government, but yet—as generated by revolution and having a constant tendency to generate fresh revolutions in its turn—requiring to be rigorously and permanently shackled. The tribunician authority had arisen out of the right to annul the official acts of the magistrates by veto, and, eventually, to fine any one who should oppose that right and to take steps for his farther punishment; this was still left to the tribunes, excepting that a heavy fine, destroying as a rule a man's civil existence, was imposed on the abuse of the right of intercession. The further prerogative of the tribune to have access to the people at pleasure, partly for the purpose of making communications to them, partly for the purpose of submitting laws to the vote, had been the lever by which the Gracchi, Saturninus, and Sulpicius had revolutionized the state; it was not abolished, but its exercise was probably made dependent on a permission to be previously requested from the senate.* Lastly it was added that the holding of the tribunate should in future disqualify

* To this the words of Lepidus in Sallust (*Hist.* i. 41, 11 Dietsch) refer: *populus Romanus . . . agitandi inops*, to which Tacitus (*Ann.* iii. 27) alludes: *statim turbidis Lepidi rogationibus neque multo post tribunis reddita licentia quoquo vellent populum agitandi.* That the tribunes did not altogether lose the right of discussing matters with the people is shown by Cic. *De Leg.* iii. 4, 10 and more clearly by the *plebiscitum de Thermensibus*, which however in the opening formula also designates itself as issued *de senatus sententia.* That the consuls on the other hand could under the Sullan arrangements submit proposals to the people without a previous resolution of the senate, is shown not only by the silence of the authorities, but also by the course of the revolutions of 667 and 8
676, whose leaders for this very reason 7
were not tribunes but consuls. Accordingly we find at this period consular laws upon secondary questions of administration, such as the corn law of
681, for which at other times we should 7
have certainly found *plebiscita.*

for the acceptance of a higher office—an enactment which, like many other points in Sulla's restoration, once more reverted to the old patrician maxims, and, just as in the times before the admission of the plebeians to the civil magistracies, declared the tribunate and the curule offices to be mutually incompatible. In this way the legislator of the oligarchy hoped to check tribunician demagogism and to keep all ambitious and aspiring men aloof from the tribunate, but to retain it as an instrument of the senate both for mediating between it and the burgesses, and, should circumstances require, for keeping in check the magistrates; and, as the authority of the king and afterwards of the republican magistrates over the burgesses scarcely anywhere comes to light so clearly as in the principle that they exclusively had the right of addressing the people, so the supremacy of the senate, now first legally established, is most distinctly apparent in this permission which the leader of the people had to ask from the senate for every transaction with his constituents.

Limitation of the supreme magistracy.

The consulship and praetorship also, although viewed by the aristocratic regenerator of Rome with a more favourable eye than the thoroughly suspicious tribunate, by no means escaped that distrust towards its own instruments which is throughout characteristic of oligarchy. They were restricted with more tenderness in point of form, but in a way very sensibly felt. Sulla here began with the partition of functions. At the beginning of this period the arrangement in that respect stood as follows. As formerly there had devolved on the two consuls the collective functions of the supreme magistracy, so there still devolved on them all those official duties for which distinct functionaries had not been by law established. This latter course had been adopted with the administration of justice in the capital, in which the consuls according to a rule inviolably adhered to might not interfere, and with the transmarine provinces then existing—Sicily, Sardinia, and the two Spains—in which, while the consul might no doubt exercise his *imperium*, he did so only exceptionally. In the ordinary course of things, accordingly, the six fields of special jurisdiction—the two judicial appointments in the capital and the four transmarine provinces—were appor-

Regulation of the consular and praetorian functions before the time of Sulla.

tioned among the six praetors, while there devolved on the two consuls by virtue of their general powers the management of the non-judicial business of the capital and the military command in the continental possessions. Now as this general authority was doubly provided for, the one consul in reality remained at the disposal of the government; and in ordinary times accordingly those eight supreme annual magistrates fully, and in fact amply, sufficed. For extraordinary cases moreover power was reserved on the one hand to conjoin the non-military functions, and on the other hand to prolong the military powers beyond the term of their expiry (*prorogare*). It was not unusual to commit the two judicial offices to the same praetor, and to have the business of the capital, which in ordinary circumstances had to be transacted by the consuls, managed by the *praetor urbanus;* whereas, as far as possible, the combination of several commands in the same hand was judiciously avoided. For this case on the contrary a remedy was provided by the rule that there was no interregnum in the military *imperium*, so that, although it had its legal term, it yet continued after the arrival of that term *de jure* until the successor appeared and relieved his predecessor of the command; or—which is the same thing—the commanding consul or praetor after the expiry of his term of office, if a successor did not appear, might continue to act, and was bound to do so, in the consul's or praetor's stead. The influence of the senate on this apportionment of functions consisted in its having by use and wont the power of either giving effect to the ordinary rule, so that the six praetors allotted among themselves the six special departments and the consuls managed the continental non-judicial business, or prescribing some deviation from it; it might assign to the consul a transmarine command of especial importance at the moment, or include an extraordinary military or judicial commission—such as the command of the fleet or an important criminal inquiry—among the departments to be distributed, and might arrange the cumulations and prolongations thereby rendered necessary. In this case, however, it was simply the definition of the respective consular and praetorian functions on each occasion which belonged to the senate, not the designation of the per-

sons to assume the particular office; the latter uniformly took place by agreement among the magistrates concerned or by lot. The burgesses did not interfere in this further than that they were in the earlier period sometimes asked to legitimize by special decree of the community the practical prolongation of command that was involved in the non-arrival of relief (i. 350); which, however, was required rather by the spirit than by the letter of the constitution, and soon fell into oblivion. In the course of the seventh century there were gradually added to the six special departments already existing six others, viz. the five new governorships of Macedonia, Africa, Asia, Narbo, and Cilicia, and the presidency of the standing commission respecting exactions (p. 76). With the daily extending sphere of action of the Roman government, moreover, it was a case of more and more frequent occurrence, that the supreme magistrates were called to undertake extraordinary military or judicial commissions. Nevertheless the number of the ordinary supreme annual magistrates was not enlarged; and there thus devolved on eight magistrates to be annually nominated—apart from emergencies—at least twelve special departments to be annually occupied. Of course it was no mere accident, that this deficiency was not covered once for all by the creation of new praetorships. According to the letter of the constitution all the supreme magistrates were to be nominated annually by the burgesses; according to the new order or rather disorder—under which the vacancies that arose were filled up mainly by prolonging the term of office, and a second year was as a rule added by the senate to the magistrates legally serving for one year, but might also at discretion be refused—the most important and most lucrative places in the state were filled up no longer by the burgesses, but by the senate out of a list of competitors formed by the burgess-elections. Since among these positions the transmarine commands were especially sought after as being the most lucrative, it was usual to entrust a transmarine command on the expiry of their official year to those magistrates whom their office confined either in law or at any rate in fact to the capital, that is, to the two praetors administering justice in the city and frequently also to the consuls; a course

which was compatible with the nature of prorogation, since the official authority of supreme magistrates acting in Rome and in the provinces respectively, although differently entered on, was not in strict state-law different in kind.

Regulation of their functions by Sulla.

Such was the state of things which Sulla found existing, and which formed the basis of his new arrangement. Its main principles were, a complete separation between the political authority which governed in the burgess-districts and the military authority which governed in the non-burgess districts, and an uniform extension of the duration of the supreme magistracy from one year to two, the first of which was devoted to civil, and the second to military functions.

Separation of the political and military authority.

Locally the civil and the military authority had certainly been long separated by the constitution, and the former ended at the *pomerium*, where the latter began; but still the same man held the supreme political and the supreme military power united in his hand. In future the consul and praetor were to deal with the senate and burgesses, the proconsul and propraetor were to command the army; but all military power was cut off by law from the former, and all political action from the latter. This primarily led to the political separation of the region of Northern Italy from Italy proper. Hitherto they had stood doubtless in a national antagonism, inasmuch as Northern Italy was inhabited chiefly by Ligurians and Celts, Central and Southern Italy by Italians; but, in a political and administrative point of view, the whole continental territory of the Roman state from the Straits to the Alps including the Illyrian possessions -burgess, Latin, and non-Italian communities without exception – was in the ordinary course of things under the administration of the supreme magistrates who were acting in Rome, as in fact her colonial foundations extended through all this territory. According to Sulla's arrangement Italy proper, the northern boundary of which was at the same time changed from the Aesis to the Rubico, was—as a region now inhabited without exception by Roman citizens—made subject to the ordinary Roman authorities; and it became one of the fundamental principles of Roman state-law, that no troops and no commandant should ordinarily be stationed in this district. The Celtic country south of the Alps

Cisalpine Gaul erected into a province.

on the other hand, in which a military command could not be dispensed with on account of the continued incursions of the Alpine tribes, was constituted a distinct governorship after the model of the earlier transmarine commands.* Lastly, as the number of praetors to be nominated yearly was raised from six to eight, the new arrangement of the duties was such, that the ten chief magistrates to be nominated yearly devoted themselves, during their first year of office, as consuls or praetors to the business of the capital — the two consuls to government and administration, two of the praetors to the administration of civil law, the remaining six to the reorganized administration of criminal justice — and, during their second year of office, were as proconsuls or propraetors invested with the command in one of the ten governorships: Sicily, Sardinia, the two Spains, Macedonia, Asia, Africa, Narbo, Cilicia, and Italian Gaul. The already mentioned augmentation of the number of quaestors by Sulla to twenty was likewise connected with this arrangement.†

* For this hypothesis there is no other proof, except that Celtic Italy was as decidedly not a province—in the sense in which the word signifies a definite district administered by a governor annually changed—in the earlier times, as it certainly was one in the time of Caesar (comp. Licin. p. 39; *data erat et Sullae provincia Gallia Cisalpina*).

The case is much the same with the advancement of the frontier; we know that formerly the Aesis, and in Caesar's time the Rubico, separated the Celtic land from Italy, but we do not know when the boundary was shifted. From the circumstance, indeed, that Marcus Terentius Varro Lucullus as propraetor undertook a regulation of the frontier in the district between the Aesis and Rubico (Orelli, *Inscr.* 570), it has been inferred that that must still have been provincial land at least in the year after Lucullus' praetorship 679, since the propraetor had nothing to do on Italian soil. But it was only within the *pomerium* that every prolonged *imperium* ceased of itself; in Italy, on the other hand, such a prolonged *imperium* was even under Sulla's arrangement—though not regularly existing—at any rate allowable, and the office held by Lucullus was in any case an extraordinary one. But we are able moreover to show when and how Lucullus held such an office in this quarter. He was already before the Sullan reorganization in 672 engaged as commanding officer in this very district (p. 355), and was probably, just like Pompeius, furnished by Sulla with propraetorian powers; in this character he must have regulated the boundary in question in 672 or 673 (comp. Appian. i. 95). No inference therefore may be drawn from this inscription as to the legal position of North Italy, and least of all for the time after Sulla's dictatorship. On the other hand a remarkable hint is contained in the statement, that Sulla advanced the Roman *pomerium* (Seneca, *de Brev. Vitae*, 14; Dio, xliii. 50); which distinction was by Roman state-law only accorded to one who had advanced the bounds not of the empire, but of the city: that is, the bounds of Italy (i. 113). 82. 82. 81.

† As two quaestors were sent to Sicily, and one to each of the other provinces, and as moreover the two urban quaestors, the two attached to the consuls in conducting war, and the four quaestors of the fleet continued to subsist, nineteen magistrates were annually required for this office. The department of the twentieth quaestor cannot be ascertained.

Better arrangement of business.

By this plan, in the first instance, a clear and fixed rule was substituted for the irregular mode of distributing offices hitherto adopted, a mode which invited all manner of vile manœuvres and intrigues; and, secondly, the excesses of magisterial authority were as far as possible obviated and the influence of the supreme governing board was materially increased. According to the previous arrangement the only legal distinction in the empire was that drawn between the city which was surrounded by the ring-wall, and the region beyond the *pomerium*; the new arrangement substituted for the city the new Italy henceforth, as in perpetual peace, withdrawn from the regular *imperium*,* and placed in contrast with it the continental and transmarine territories which were necessarily placed under military commandants—the provinces as they were henceforth called. According to the former arrangement the same man had very frequently remained two, and often more years in the same office. The new arrangement restricted the magistracies of the capital as well as the governorships throughout to one year; and the special enactment that every governor should without fail leave his province within thirty days after his successor's arrival there, shows very clearly—particularly if we take along with it the formerly mentioned prohibition of the immediate re-election of the late magistrate to the same or another public office—what the tendency of these arrangements was. It was the time-honoured maxim by which the senate had at one time made the monarchy subject to it, that the limitation of the magistracy in point of function was favourable to democracy, and its limitation in point of time favourable to oligarchy. According to the previous arrangement Gaius Marius had acted at once as head of the senate and as commander-in-chief of the state; if he had his own unskilfulness alone to blame for his failure to overthrow the oligarchy by means of this double official power, care seemed now taken to prevent some possibly wiser successor from making a better use of the same lever. According to the previous arrangement the magistrate immediately nominated

Increase of the power of the senate.

* The Italian confederacy was much older (i. 469); but it was a league of states, not, like the Sullan Italy, a definite territory within the united Roman state.

by the people might have had a military position; the Sullan arrangement, on the other hand, reserved such a position exclusively for those magistrates whom the senate confirmed in their authority by prolonging their term of office. No doubt this prolongation of office had now become a standing usage; but it still—so far as respects the auspices and the name, and constitutional form in general—continued to be treated as an extraordinary extension of their term. This was no matter of indifference. No one, or at the utmost the burgesses alone, could depose the consul or praetor from his office; the proconsul and propraetor were nominated and dismissed by the senate, so that by this enactment the whole military power, on which everything ultimately depended, became formally at least dependent on the senate.

Shelving of the censorship.

Lastly we have already observed that the highest of all magistracies, the censorship, though not formally abolished, was shelved in the same way as the dictatorship had previously been. Practically it might certainly be dispensed with. Provision was otherwise made for filling up the senate. From the time that Italy was practically tax-free and the army was substantially formed by enlistment, the register of those liable to taxation and service lost its chief significance; and, if disorder prevailed in the equestrian roll or the list of those entitled to the suffrage, that disorder was probably not altogether unwelcome. There thus remained only the current financial functions which the consuls had hitherto discharged when, as frequently happened, no election of censors had taken place, and which they now took as a part of their ordinary official duties. Compared with the substantial gain that by the shelving of the censorship the magistracy lost its crowning dignity, it was a matter of little moment and was not at all prejudicial to the sole dominion of the supreme governing corporation, that—with a view to satisfy the ambition of the senators now so much more numerous—the number of the Pontifices was increased from eight (i. 329), that of the Augurs from nine (i. 329), that of the Custodiers of Oracles from ten (i. 326), to fifteen each, and that of the Epulones from three (ii. 423) to seven.

Regulation of the finances.

In financial matters even under the former constitution the decisive voice lay with the senate; the only point to be

dealt with, accordingly, was the re-establishment of an orderly administration. Sulla had found himself at first in no small pecuniary difficulty; the sums brought with him from Asia Minor were soon expended for the pay of his numerous and constantly swelling army. Even after the victory at the Colline gate the senate, seeing that the state-chest had been carried off to Praeneste, had been obliged to resort to urgent measures. Various building-sites in the capital and several portions of the Campanian domains were exposed to sale, the client kings, the freed and allied communities, were laid under extraordinary contribution, their landed property and their customs-revenues were in some cases confiscated, and in others new privileges were granted to them for money. But the residue of nearly 600,000*l.* found in the public chest on the surrender of Praeneste, the public auctions which soon began, and other extraordinary resources, relieved the embarrassment of the moment. Provision was made for the future not so much by the reform in the Asiatic revenues, under which the tax-payers were the principal gainers, and the state chest was perhaps at most no loser, as by the resumption of the Campanian domains, to which Aenaria was now added (p. 374), and above all by the abolition of the largesses of grain, which since the time of Gaius Gracchus had eaten like a canker into the Roman finances.

Reorganization of the judicial system.

Previous arrangements.

Ordinary procedure.

The judicial system on the other hand was essentially revolutionized, partly from political considerations, partly with a view to introduce greater unity and usefulness into the previous very insufficient and unconnected legislation on the subject. Over and above the courts in which the whole burgesses decided on appeals from the sentence of the magistrate, ere thexisted at this time two sorts of procedure before jurymen. In the ordinary procedure, which was applicable to all cases adapted according to our view for a criminal or civil process with the exception of crimes immediately directed against the state, one of the two praetors of the capital technically adjusted the cause and a juryman (*iudex*) nominated by him decided it on the basis of this adjustment. The extraordinary procedure again was applicable to particular civil or criminal cases of importance, for which,

instead of the single juryman, a special jury-court had been appointed by special laws. Of this sort were the special tribunals constituted for particular cases (*e. g.* p. 158, 195); the standing commissional tribunals, such as were appointed for exactions (p. 76), for poisoning and murder (p. 117), perhaps also for bribery at elections and other crimes in the course of the seventh century; and, lastly, the court of the hundred and five or more briefly the hundred men, also called, from the shaft of a spear employed in the process as to property, the spear-court (*hasta*). The period and circumstances in which this spear-court, which had jurisdiction in processes as to Roman inheritance, originated, are involved in obscurity; but they must, it may be presumed, have been nearly the same as in the case of the essentially similar criminal commissions mentioned above. As to the presidency of these different tribunals there were different regulations in the respective ordinances appointing them: thus there presided over the tribunal as to exactions a praetor, over the court for murder a president specially nominated from those who had been aediles, over the spear-court several directors taken from the former quaestors. The jurymen both for the ordinary and for the extraordinary procedure were, in accordance with the Gracchan arrangement, taken from the non-senatorial men of equestrian census; in the case of the spear-court alone, three jurymen were nominated by free election from each of the thirty-five tribes, and the court was composed of these hundred and five men.

Permanent and special *Quaestiones.*

Centumviral court.

Sulla's leading reforms were of a threefold character. First, he very considerably increased the number of the jury-courts. There were henceforth separate judicial commissions for exactions; for murder, including arson and perjury; for bribery at elections; for high treason and any dishonour done to the Roman name; for adultery; for the most heinous cases of fraud—the forging of wills and of money; for the most heinous violations of honour, particularly for injuries to the person and disturbance of the domestic peace; perhaps also for embezzlement of public moneys, for usury and other crimes; and for each of these old or new tribunals Sulla issued a special ordinance setting forth the crime and form of criminal procedure. The

Sullan *Quaestiones.*

authorities, moreover, were not deprived of the right to appoint in case of emergency special courts for special groups of crimes. As a result of this arrangement the popular tribunals on the one hand, and the ordinary judicial procedure on the other, were materially restricted, inasmuch as processes of high treason for instance were withdrawn from the former, and the more serious falsifications and injuries from the latter; but apart from this there was no change in either institution. Secondly, as respects the presidency of the courts, six praetors, as we have already mentioned, were now available for the superintendence of the different jury-courts, besides whom special directors were named for particular tribunals. Thirdly, the senators were once more installed in the office of jurymen in room of the Gracchan equites: in the spear-court alone, so far as we know, the previous arrangement continued to subsist.

The political aim of these enactments—to put an end to the share which the equites had hitherto had in the government—is clear as day; but it as little admits of doubt, that these were not mere measures of a political tendency, but that they formed the first attempt to amend the Roman criminal procedure and criminal law, which had since the struggle between the orders fallen more and more into confusion. From this Sullan legislation dates the distinction—substantially unknown to the earlier law—between civil and criminal causes, in the sense which we now attach to these expressions; henceforth a criminal cause appears as that which comes before the bench of jurymen, a civil cause as that which comes before the individual *iudex*. The whole body of the Sullan ordinances as to the *quaestiones* may be characterized at once as the first Roman code after the Twelve Tables, and as the first criminal code specially issued at all. But in the details also there appears a laudable and liberal spirit. Singular as it may sound regarding the author of the proscriptions, it remains nevertheless true that he abolished the punishment of death for political offences; for, as according to the Roman custom which Sulla retained unchanged the people only, and not the jury-commission could sentence to forfeiture of life or to imprisonment (p. 117), the transference of processes of high treason from the burgesses

to a standing commission amounted to the abolition of capital punishment for such offences. On the other hand, the restriction of the pernicious special commissions for particular cases of high treason, of which the Varian commission (p. 248) in the Social war had been a specimen, likewise involved an improvement. The whole reform was of singular and lasting benefit, and a permanent monument of the practical, moderate, statesmanly spirit, which made its author well worthy, like the old decemvirs, to step forward between the parties as sovereign mediator with his code of law.

Police laws.

We may regard as an appendix to these criminal laws the police ordinances, by which Sulla, putting the law in room of the censor, again enforced good discipline and strict manners, and, by establishing new maximum rates instead of the old ones which had long been antiquated, attempted to restrain luxury at banquets, funerals, and otherwise.

The Roman municipal system.

Lastly, the development of an independent Roman municipal system was the work, if not of Sulla, at any rate of the Sullan epoch. The idea of organically incorporating the community as a subordinate political unit in the higher unity of the state was originally foreign to antiquity; city and state were throughout the Helleno-Italic world necessarily coincident, and it was otherwise only under Oriental despotism. In so far there was no proper municipal system from the outset either in Greece or in Italy. The Roman policy especially adhered to this view with its peculiar tenacious consistency; even in the sixth century the dependent communities of Italy were either, in order to their keeping their municipal constitution, constituted as formally sovereign states of non-burgesses, or, if they obtained the Roman franchise, were—although not prevented from organizing themselves as commonwealths—deprived of strictly municipal rights, so that in all burgess-colonies and burgess-*municipia* even the administration of justice and the charge of buildings devolved on the Roman praetors and censors. The utmost to which Rome consented was to allow at least the most urgent lawsuits to be settled on the spot by a deputy (*praefectus*) of the praetor nominated from Rome (i. 463). The provinces were similarly dealt with, except that the governor there came in place of the authorities of the capital. In the

free, that is, formally sovereign cities the civil and criminal jurisdiction was administered by the municipal magistrates according to the local statutes; only, unless altogether special privileges stood in the way, every Roman might either as defendant or as plaintiff request to have his cause decided before Italian judges according to Italian law. For the ordinary provincial communities the Roman governor was the only regular judicial authority, on whom devolved the superintendence of all processes. It was a great matter when, as in Sicily, in the event of the defendant being a Sicilian, the governor was bound by the provincial statute to give a native juryman and to allow him to decide according to local usage; in most of the provinces this seems to have depended on the pleasure of the presiding magistrate.

In the seventh century this absolute centralization of the public life of the Roman community in the one focus of Rome was given up, so far as Italy at least was concerned. Now that Italy was a single civic community and the civic territory reached from the Arnus and Rubico down to the Sicilian straits (p. 374), it was necessary to consent to the formation of smaller civic communities within that larger unit. So Italy was organized into communities of full burgesses; on which occasion also the larger cantons that were dangerous from their size were probably broken up, so far as this had not been done already, into several smaller town-districts (p. 253). The position of these new communities of full burgesses was a compromise between that which had belonged to them hitherto as allied states, and that which by the earlier law would have belonged to them as integral parts of the Roman community. Their basis was in general the constitution of the former formally sovereign Latin community, or, so far as their constitution in its principles resembled the Roman, that of the Roman old patrician-consular community; only care was taken to apply to the same institutions in the *municipium* names different from, and inferior to, those used in the capital, or, in other words, in the state. A burgess-assembly was placed at the head, with the prerogative of issuing municipal statutes and nominating the municipal magistrates. A municipal council of a hundred members acted the part of the Roman senate. The admini-

stration of justice was conducted by four magistrates, two regular judges corresponding to the two consuls, and two market-judges corresponding to the curule aediles. The functions of the censorship, which recurred, as in Rome, every five years and, to all appearance, consisted chiefly in the superintendence of public buildings, were also undertaken by the supreme magistrates of the community, namely the ordinary *duumviri*, who in this case assumed the distinctive title of *duumviri* "with censorial or quinquennial power." The municipal funds were managed by two quaestors. Religious functions primarily devolved on the two colleges of men of priestly lore alone known to the earliest Latin constitution, the municipal Pontifices and Augurs.

Relation of the *municipium* to the state.

With reference to the relation of this secondary political organism to the primary organism of the state, all political prerogatives generally belonged to the former as well as to the latter, and consequently the municipal decree and the *imperium* of the municipal magistrates bound the municipal burgess just as the decree of the people and the consular *imperium* bound the Roman. This led, on the whole, to a co-ordinate exercise of power by the authorities of the state and of the town; both had, for instance, the right of valuation and taxation, so that in the case of any municipal valuations and taxes those prescribed by Rome were not taken into account, and *vice versa*; public buildings might be instituted both by the Roman magistrates throughout Italy and by the municipal authorities in their own district, and so in other cases. In the event of collision, of course the community yielded to the state and the decree of the people invalidated the municipal decree. A formal division of functions probably took place only in the administration of justice, where the system of pure co-ordination would have led to the greatest confusion. In criminal procedure probably all capital causes, and in civil procedure those more difficult cases which presumed an independent action on the part of the presiding magistrate, were reserved for the authorities and jurymen of the capital, and the Italian municipal courts were restricted to the minor and less complicated lawsuits or to those which were very urgent.

The origin of this Italian municipal system has not been

Rise of the *municipium.*

recorded. It is probable that its germs may be traced to exceptional regulations for the great burgess-colonies, which were founded at the end of the sixth century (ii. 353); at least several, in themselves indifferent, formal differences between burgess-colonies and burgess-*municipia* tend to show that the new burgess-colony, which at that time practically took the place of the Latin, had originally a better position in state-law than the far older burgess-*municipium*, and the advantage can perhaps have only consisted in a municipal constitution approximating to the Latin, such as afterwards belonged to all burgess-colonies and burgess-*municipia*. The new organization is first distinctly traceable in the revolutionary colony of Capua (p. 342); and it admits of no doubt that it was first fully applied, when all the hitherto sovereign towns of Italy had to be organized, in consequence of the Social War, as burgess-communities. Whether it was the

86. Julian law, or the censors of 668, or Sulla, that first arranged the details, cannot be determined: the entrusting of the censorial functions to the *duumviri* seems indeed to have been introduced after the analogy of the Sullan ordinance superseding the censorship, but may be equally well referred to the primitive Latin constitution to which the censorship was unknown. In any case this municipal constitution—inserted in, and subordinate to, the state proper—is one of the most remarkable and momentous products of the Sullan period, and of the life of the Roman state generally. Antiquity was certainly as little able to dovetail the city into the state as to develop of itself representative government and other great principles of our modern state-life; but it carried its political development up to those limits at which it outgrows and bursts its assigned dimensions, and this was the case especially with Rome, which in every respect stands on the line of separation between the old and the new intellectual worlds. In the Sullan constitution the collective assembly and the urban character of the commonwealth of Rome on the one hand vanished almost into a meaningless form; the community subsisting within the state on the other hand was completely developed in the Italian *municipium*. Down to the name, which in such cases no doubt is the half of the matter, this last constitution of the free republic carried out the re-

presentative system and the idea of the state resting on the basis of the municipalities.

The municipal system in the provinces was not altered by this movement; the municipal authorities of the non-free towns continued—special exceptions apart—to be confined to administration and police, from which no doubt a certain jurisdiction, over slaves guilty of crimes for example, could not be separated.

Impression produced by the Sullan reorganization.

Such was the constitution which Lucius Cornelius Sulla gave to the commonwealth of Rome. The senate and equestrian order, the burgesses and proletariate, Italians and provincials, accepted it as it was dictated to them by the regent, if not without grumbling, at any rate without rebelling: not so the Sullan officers. The Roman army had totally changed its character. It had certainly been rendered by the Marian reform more ready for action and more militarily useful than when it did not fight before the walls of Numantia; but it had at the same time been converted from a burgess-force into a set of mercenaries who showed no fidelity to the state at all, and proved faithful to the officer only when he had the skill personally to gain their attachment. The civil war had given fearful evidence of this total revolution in the spirit of the army: six generals, Albinus (p. 270), Cato (p. 271), Rufus (p. 285), Flaccus (p. 323), Cinna (p. 345), and Gaius Carbo (p. 362), had fallen during its course by the hands of their soldiers: Sulla alone had hitherto been able to retain the mastery of the dangerous crew, and that only, in fact, by giving the rein to all their wild desires as no Roman general before him had ever done. If the blame of destroying the old military discipline is on this account attached to him, the censure is not exactly without ground, but yet without justice; he was indeed the first Roman magistrate who was only enabled to discharge his military and political task by coming forward as a *condottiere*. He had not however taken the military dictatorship for the purpose of making the state subject to the soldiery, but rather for the purpose of compelling everything in the state, and especially the army and the officers, to submit once more to the authority of civil order. When this became evident, an opposition arose against him among his own staff. The oligarchy might play the tyrant as respected other citizens; but that the

Opposition of the officer.

generals also, who with their good swords had replaced the overthrown senators in their seats, should now be summoned to yield implicit obedience to this very senate, seemed intolerable. The very two officers in whom Sulla had placed most confidence resisted the new order of things. When Gnaeus Pompeius, whom Sulla had entrusted with the conquest of Sicily and Africa and had selected for his son-in-law, after accomplishing his task received orders from the senate to dismiss his army, he omitted to comply and fell little short of open insurrection. Quintus Ofella, to whose firm perseverance in front of Praeneste the success of the last and sorest campaign was essentially due, in equally open violation of the newly issued ordinances became a candidate for the consulship without having held the inferior magistracies. With Pompeius there was effected, if not a cordial reconciliation, at any rate a compromise. Sulla, who knew his man sufficiently not to fear him, did not resent the impertinent remark which Pompeius uttered to his face, that more people concerned themselves with the rising than with the setting sun; and accorded to the vain youth the empty honours to which his heart clung (p. 362). If in this instance he appeared lenient, he showed on the other hand in the case of Ofella that he was not disposed to allow his marshals to take advantage of him; as soon as the latter had appeared unconstitutionally as candidate, Sulla had him cut down in the public market-place, and then explained to the assembled citizens that the deed was done by his orders and the reason for doing it. So this significant opposition of the staff to the new order of things was no doubt silenced for the present; but it continued to subsist and furnished the practical commentary on Sulla's saying, that what he did on this occasion could not be done a second time.

Restoration of constitutional order.

One thing still remained—perhaps the most difficult of all: to bring the exceptional state of things into accordance with the paths prescribed by the new or old laws. It was facilitated by the circumstance, that Sulla never lost sight of this as his ultimate aim. Although the Valerian law gave him absolute power and gave to each of his ordinances the force of law, he had nevertheless availed himself of this extraordinary prerogative only in the case of measures which were of

transient importance and to take part in which would simply have uselessly compromised the senate and burgesses, especially in the case of the proscriptions. Ordinarily he had himself observed those regulations which he prescribed for the future. That the people were consulted, we read in the law as to the quaestors which is still in part extant; and the same is attested of other laws, *e. g.* the sumptuary law and those regarding the confiscations of domains. In like manner the senate was previously consulted in the more important administrative acts, such as in the sending forth and recall of the African army and in the conferring of the charters of towns. In the same spirit Sulla caused consuls to be elected even for 673, through which at least the odious custom of dating officially by the regency was avoided; nevertheless the power still lay exclusively with the regent, and the election was directed so as to fall on secondary personages. But in the following year (674) Sulla revived the ordinary constitution in full efficiency, and administered the state as consul in concert with his comrade in arms Quintus Metellus, retaining the regency, but allowing it for the time to lie dormant. He saw well how dangerous it was for his own very institutions to perpetuate the military dictatorship. When the new state of things seemed likely to hold its ground and the largest and most important portion of the new arrangements had been completed, although various matters, particularly in colonization, still remained to be done, he allowed the elections for 675 to have free course, declined re-election to the consulship as incompatible with his own ordinances, and at the beginning of 675 resigned the regency, soon after the new consuls Publius Servilius and Appius Claudius had entered on office. Even callous hearts were impressed, when the man who had hitherto dealt at his pleasure with the life and property of millions, at whose nod so many heads had fallen, who had mortal enemies dwelling in every street of Rome and in every town of Italy, and who without an ally of equal standing and even, strictly speaking, without the support of a fixed party had brought to an end his work of reorganizing the state, a work offending a thousand interests and opinions—when this man appeared in the market-place of the capital, voluntarily renounced his plenitude of power, discharged his armed at-

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Sulla resigns the regency.

tendants, dismissed his lictors, and summoned the dense throng of burgesses to speak, if any one desired from him a reckoning. All were silent: Sulla descended from the rostra, and on foot, attended only by his friends, returned to his dwelling through the midst of that very populace which eight years before had razed his house to the ground.

Character of Sulla.

Posterity has not justly appreciated either Sulla himself or his work of reorganization, as indeed it is wont to judge unfairly of persons who oppose themselves to the current of the times. In fact Sulla is one of the most marvellous characters—we may even say a unique phenomenon—in history. Physically and mentally of sanguine temperament, blue-eyed, fair, of a complexion singularly white but blushing with every passionate emotion—though otherwise a handsome man with piercing eyes—he seemed hardly destined to be of more moment to the state than his ancestors, who since the days of his great-great-grandfather Publius Cornelius Rufinus (consul 290. 277. in 464, 477), one of the most distinguished generals and at the same time the most ostentatious man of the times of Pyrrhus, had remained in second-rate positions. He desired from life nothing but serene enjoyment. Reared in the refinement of such cultivated luxury as was at that time naturalized even in the less wealthy senatorial families of Rome, he quickly possessed himself of all the fulness of sensuous and intellectual enjoyments which the combination of Hellenic polish and Roman wealth could secure. He was equally welcome as a pleasant companion in the aristocratic saloon and as a good comrade in the camp; his acquaintances, high and low, found in him a sympathizing friend and a ready helper in time of need, who gave his gold with far more pleasure to his embarrassed comrade than to his wealthy creditor. Passionate was his homage to the wine-cup, still more passionate to women; even in his later years he was no longer the regent, when after the business of the day was finished he took his place at table. A vein of irony—we might perhaps say of buffoonery—pervaded his whole nature. Even when regent he gave orders, while conducting the public sale of the property of the proscribed, that a donation from the spoil should be given to the author of a wretched panegyric which was handed to him, on condition that the writer should

promise never to sing his praises again. When he justified before the burgesses the execution of Ofella, he did so by relating to the people the fable of the countryman and the lice. He delighted to choose his companions among actors, and was fond of sitting at wine not only with Quintus Roscius—the Roman Talma—but also with far inferior players; indeed he was himself not a bad singer, and even wrote farces for performance within his own circle. Yet amidst these jovial Bacchanalia he lost neither bodily nor mental vigour; in the rural leisure of his last years, he was still zealously devoted to the chase, and the circumstance that he brought the writings of Aristotle from conquered Athens to Rome testifies at least to his interest in more serious reading. The specific peculiarities of Roman character rather repelled him. Sulla had nothing of the blunt hauteur which the grandees of Rome were fond of displaying in presence of the Greeks, or of the pomposity of narrow-minded great men; on the contrary he freely indulged his humour, appeared, to the scandal doubtless of many of his countrymen, in Greek towns in the Greek dress, or induced his aristocratic companions to drive their chariots personally at the games. He retained still less of those half-patriotic, half-selfish hopes, which in countries of free constitution allure every youth of talent into the political arena, and which he too like all others probably at one time felt. In such a life as his was, oscillating between passionate intoxication and more than sober awaking, illusions are speedily dissipated. Desiring and striving probably appeared to him folly in a world which withal was absolutely governed by chance, and in which, if men were to strive after anything at all, this chance could be the only aim of their efforts. He followed the general tendency of the age to be addicted at once to unbelief and to superstition. His whimsical credulity was not the plebeian superstition of Marius, who got a priest to prophesy to him for money and determined his actions accordingly; still less was it the sullen belief of the fanatic in destiny; it was that faith in the absurd, which necessarily makes its appearance in every man who has thoroughly ceased to believe in a connected order of things—the superstition of the fortunate player, who deems himself privileged by fate to throw on each and every occasion the

right number. In practical questions Sulla understood very well how to satisfy ironically the demands of religion. When he emptied the treasuries of the Greek temples, he declared that the man could never fail whose chest was replenished by the gods themselves. When the Delphic priests reported to him that they were afraid to send the treasures which he asked, because the harp of the god emitted a clear sound when they touched it, he returned the reply that they might now send them all the more readily, as the god evidently approved his designs. Nevertheless he fondly flattered himself with the idea that he was the chosen favourite of the gods, and in an altogether special manner of that goddess, to whom down to his latest years he assigned the pre-eminence, Aphrodite. In his conversations as well as in his autobiography he often plumed himself on the intercourse which the immortals held with him in dreams and omens. He had more right than most men to be proud of his achievements; he was not so, but he was proud of his uniquely faithful fortune. He was wont to say that every improvised enterprise turned out better with him than those which were systematically planned; and one of his strangest whims—that of regularly stating the number of those who had fallen on his side in battle as *nil*—was nothing but the childishness of a child of fortune. It was but the utterance of his natural disposition, when, having reached the culminating point of his career and seeing all his contemporaries at a dizzy depth beneath him, he assumed the designation of the Fortunate—Sulla Felix—as a formal surname, and bestowed corresponding appellations on his children.

Sulla's political career.

Nothing lay farther from Sulla than systematic ambition. He had too much sense to regard, like the average aristocrats of his time, the inscription of his name in the roll of the consuls as the aim of his life; he was too indifferent and too little of an ideologue to be disposed voluntarily to engage in the reform of the rotten structure of the state. He remained—where birth and culture placed him—in the circle of fashionable society, and passed through the usual routine of office; he had no occasion to exert himself, and left such exertion to the political working bees, of whom there was in truth no want. Thus in 647, on the distribution of the

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quæstorial appointments, accident brought him to Africa to the head quarters of Gaius Marius. The untried man-of-fashion from the capital was not very well received by the rough boorish general and his experienced staff. Provoked by this reception Sulla, fearless and skilful as he was, rapidly made himself master of the profession of arms, and in his daring expedition to Mauretania first displayed that peculiar combination of audacity and cunning with reference to which his contemporaries said of him that he was half lion half fox, and that the fox in him was more dangerous than the lion. To the young, highborn, brilliant officer, who was confessedly the real means of ending the vexatious Numidian war, the most splendid career now lay open: he took part also in the Cimbrian war, and manifested his singular talent for organization in the management of the difficult task of providing supplies; yet even now the pleasures of the capital had far more attraction for him than war or even politics. During his praetorship, which office he held in 661 after 93.
having failed in a previous candidature, it once more chanced that in his province, the least important of all, the first victory over king Mithradates and the first treaty with the mighty Arsacids, as well as their first humiliation, occurred. The civil war followed. It was Sulla mainly, who decided the first act of it—the Italian insurrection—in favour of Rome, and thus won for himself the consulship by his sword; it was he, moreover, who when consul suppressed with energetic rapidity the Sulpician revolt. Fortune seemed to make it her business to eclipse the old hero Marius by means of this younger officer. The capture of Jugurtha, the vanquishing of Mithradates, both of which Marius had striven for in vain, were accomplished in subordinate positions by Sulla; in the Social war, in which Marius lost his renown as a general and was deposed, Sulla established his military repute and rose to the consulship; the revolution of 666, 88.
which was at the same time and above all a personal conflict between the two generals, ended with the outlawry and flight of Marius. Almost without desiring it, Sulla had become the most famous general of his time and the shield of the oligarchy. New and more formidable crises ensued—the Mithradatic war, the Cinnan revolution: the star of Sulla

continued always in the ascendant. Like the captain who seeks not to quench the flames of his burning ship but continues to fire on the enemy, Sulla, while the revolution was raging in Italy, persevered unshaken in Asia till the public foe was subdued. So soon as he had done with that foe, he crushed the reign of anarchy and saved the capital from the firebrands of the desperate Samnites and revolutionists. The moment of his return home was for Sulla an overpowering one in joy and in pain: he himself relates in his memoirs that during his first night in Rome he had not been able to close an eye, and we may well believe it. But still his task was not at an end; his star was destined to rise still higher. Absolute autocrat as was ever any king, and yet constantly bent on abiding by the ground of formal right, he bridled the ultra-reactionary party, annihilated the Gracchan constitution which had for forty years restrained the oligarchy, and compelled first the powers of the capitalists and of the urban proletariate which had entered into rivalry with the oligarchy, and ultimately the arrogance of the sword which had grown up in the bosom of his own staff, to yield once more to the law which he strengthened afresh. He established the oligarchy on a more independent footing than ever, placed the magisterial power as a ministering instrument in its hands, committed to it the legislation, the courts, the supreme military and financial power, and furnished it with a sort of body-guard in the liberated slaves and with a sort of army in the settled military colonists. Lastly, when the work was finished, the creator gave way to his own creation; the absolute autocrat became of his own accord once more a simple senator. In all this long military and political career Sulla never lost a battle, was never compelled to retrace a single step, and, led astray neither by friends nor by foes, brought his work to the goal which he had himself proposed. He had reason, indeed, to thank his star. The capricious goddess of fortune seemed in his case for once to have exchanged caprice for steadfastness, and to have taken a pleasure in loading her favourite with successes and honours—whether he desired them or not. But history must be more just towards him than he was towards himself, and

must place him in a higher rank than that of the mere favourites of fortune.

Sulla and his work.

We do not mean that the Sullan constitution was a work of political genius, such as those of Gracchus and Caesar. There does not occur in it—as is, indeed, implied in its very nature as a restoration—a single new idea in statesmanship. All its most essential features—admission to the senate by the holding of the quaestorship, the abolition of the censorial right to eject a senator from the senate, the initiative of the senate in legislation, the conversion of the tribunician office into an instrument of the senate for fettering the *imperium*, the prolonging of the duration of office to two years, the transference of the command from the popularly elected magistrate to the senatorial proconsul or propraetor, and even the new criminal and municipal arrangements—were not created by Sulla, but were institutions which had previously grown out of the oligarchic government, and which he merely regulated and fixed. And even as to the horrors attaching to his restoration, the proscriptions and confiscations —are they, compared with the doings of Nasica, Popillius, Opimius, Caepio and so on, anything else than a legal embodiment of the customary oligarchic mode of getting rid of opponents? On the Roman oligarchy of this period no judgment can be passed save one of inexorable and remorseless condemnation; and, like everything else connected with it, the Sullan constitution is involved in that condemnation. But we do not wrong the sacredness of history through a praise which the gifted character of a bad man bribes us into bestowing when we suggest that Sulla was far less answerable for the Sullan restoration than the body of the Roman aristocracy which had ruled as a clique for centuries and had every year become more enervated and embittered by age, and that all that was hollow and all that was nefarious therein is ultimately traceable to that aristocracy. Sulla reorganized the state—not, however, as a landlord who puts his shattered estate and household in order according to his own discretion, but as a temporary manager who faithfully obeys his instructions: it is superficial and false in such a case to roll the final and essential responsibility over from the master to the manager. We estimate the importance of

Sulla much too highly, or rather we dispose of those terrible proscriptions, ejections, and restorations—for which there never could be and never was any reparation—on far too easy terms, when we regard them as the work of a bloodthirsty tyrant whom accident had placed at the head of the state. These and the terrorism of the restoration were the deeds of the aristocracy, and Sulla was nothing more in the matter than, to use the poet's expression, the executioner's axe following the conscious thought as its unconscious instrument. Sulla carried out that part with rare, in fact superhuman, perfection; but within the limits which it laid down for him, his working was not only grand but even useful. Never has any aristocracy deeply decayed and decaying still farther from day to day, such as was the Roman aristocracy of that time, found a guardian so willing and able as Sulla to wield for it the sword of the general and the pen of the legislator without any regard to the gain of power for himself. There is no doubt a difference between the case of an officer who refuses the sceptre from public spirit and that of one who throws it away from *ennui*; but, so far as concerns the total absence of political selfishness—although, it is true, in this respect only—Sulla deserves to be named side by side with Washington.

Value of the Sullan constitution.

But the whole country—and not the aristocracy merely—was more indebted to him than posterity is willing to confess. Sulla definitely terminated the Italian revolution, in so far as it was based on the disabilities of individual less privileged districts as compared with others of better rights, and, by compelling himself and his party to recognize the equality of the rights of all Italians in presence of the law, he became the real and final author of the full political unity of Italy—a gain which was not too dearly purchased even by so many troubles and streams of blood. Sulla however did more. For more than half a century the power of Rome had been declining and anarchy had been her permanent condition: for the government of the senate with the Gracchan constitution was anarchy, and the government of Cinna and Carbo was a yet far worse illustration of the absence of a master-hand (the sad image of which is most clearly reflected in that equally confused and unnatural league

with the Samnites), the most uncertain, most intolerable, and most mischievous of all conceivable political conditions—in fact the beginning of the end. We do not go too far when we assert that the long-undermined Roman commonwealth must have necessarily fallen to pieces, had not Sulla by his intervention in Asia and Italy saved its existence. It is true that the constitution of Sulla had as little endurance as that of Cromwell, and it was not difficult to see that his structure was no solid one; but it is arrant thoughtlessness to overlook the fact that without Sulla most probably the very site of the building would have been swept away by the waves; and even the blame of its want of stability does not fall primarily on Sulla. The statesman builds only so much as in the sphere assigned to him he can build. What a man of conservative views could do to save the old constitution, Sulla did; and he himself had a foreboding that, while he might probably erect a fortress, he would be unable to create a garrison, and that the utter worthlessness of the oligarchs would render any attempt to save the oligarchy vain. His constitution resembled a temporary dike thrown into the raging breakers; it was no reproach to the builder, if some ten years afterwards the waves swallowed up a structure reared in defiance of nature and not defended even by those whom it sheltered. The statesman has no need to be referred to highly commendable isolated reforms, such as those of the Asiatic revenue-system and of criminal justice, that he may not summarily dismiss Sulla's ephemeral restoration: he will admire it as a reorganization of the Roman commonwealth judiciously planned and on the whole consistently carried out under infinite difficulties, and he will place the deliverer of Rome and the accomplisher of Italian unity below, but yet in the same class with, Cromwell.

Immoral and superficial nature of the Sullan restoration.

It is not, however, the statesman alone who has a voice in judging the dead; and with justice outraged human feeling will never reconcile itself to what Sulla did or suffered others to do. Sulla not only established his despotic power by unscrupulous violence, but in doing so called things by their right name with a certain cynical frankness, through which he has irreparably offended the great mass of the weakhearted

who are more revolted at the name than at the thing, while the cool and dispassionate character of his crimes makes them certainly appear to the moral judgment more revolting than the crimes that spring from passion. Outlawries, rewards to executioners, confiscations of goods, summary procedure with insubordinate officers had occurred a hundred times, and the obtuse political morality of ancient civilization had for such things only lukewarm censure; but it was unexampled that the names of the outlaws should be publicly posted up and their heads publicly exposed, that a set sum should be fixed for the bandits who slew them and that it should be duly entered in the public account-books, that the confiscated property should be brought to the hammer like the spoil of an enemy in the public market, that the general should order a refractory officer to be at once cut down and acknowledge the deed before all the people. This public mockery of humanity was also a political error; it contributed not a little to envenom later revolutionary crises beforehand, and on that account even now a dark shadow deservedly rests on the memory of the author of the proscriptions.

Sulla may moreover be justly blamed that, while in all important matters he acted with remorseless vigour, in subordinate and more especially in personal questions he very frequently yielded to his sanguine temperament and dealt according to his likings or dislikings. Wherever he really felt hatred, as for instance against the Marians, he allowed it to take its course without restraint even against the innocent, and made it his boast that no one had better requited friends and foes.* He scorned not to take advantage of his place and power to accumulate a colossal fortune. The first absolute monarch of the Roman state, he forthwith verified the maxim of absolutism—that the laws do not bind the prince—in the case of those laws which he himself issued as to adultery and extravagance. But his lenity towards his own party and his own circle was more

* Euripides, *Medea*, 807 :—

Μηδείς με φαύλην κἀσθενῆ νομιζέτω
Μηδ' ἡσυχαίαν, ἀλλὰ θατέρου τρόπου,
Βαρεῖαν ἐχθροῖς καὶ φίλοισιν εὐμενῆ.

pernicious for the state than his indulgence towards himself. The laxity of his military discipline, although it was partly enjoined by his political exigencies, may be reckoned as coming under this category; but far more pernicious was his indulgence towards his political adherents. The extent of his forbearance occasionally is hardly credible: for instance Lucius Murena was not only released from punishment for defeats which he sustained through arrant folly and insubordination (p. 363), but was even allowed a triumph; Gnaeus Pompeius, who had behaved still worse, was still more extravagantly honoured by Sulla (p. 362, 398). The extensive range and the worst enormities of the proscriptions and confiscations probably arose not so much from Sulla's own wish as from this spirit of indifference, which in his position indeed was hardly more pardonable. That Sulla with his intrinsically energetic and yet withal indifferent temperament should conduct himself very variously, sometimes with incredible indulgence, sometimes with inexorable severity, may readily be conceived. The saying repeated a thousand times, that he was before his regency a good-natured, mild man, but when regent a blood-thirsty tyrant, carries in it its own refutation; if he as regent displayed the reverse of his earlier gentleness, it must rather be said that he punished with the same careless nonchalance with which he pardoned. This half-ironical frivolity pervades his whole political action. It is always as if the victor, just as it pleased him to call his merit in gaining victory good fortune, esteemed the victory itself of no value; as if he had a partial presentiment of the vanity and perishableness of his own work; as if after the manner of a steward he preferred making repairs to pulling down and rebuilding, and allowed himself in the end to be content with a sorry patchwork to conceal the flaws.

Sulla after his retirement.

But, such as he was, this Don Juan of politics was a man of one mould. His whole life attests the internal equilibrium of his nature; in the most diverse situations Sulla remained unchangeably the same. It was the same temper, which after the brilliant successes in Africa made him seek once more the idleness of the capital, and after the full possession of absolute power made him find rest and refresh-

ment in his Cuman villa. In his mouth the saying, that public affairs were a burden which he threw off so soon as he might and could, was no mere phrase. After his resignation he remained entirely like himself, without peevishness and without affectation, glad to be rid of public affairs and yet interfering now and then when opportunity offered. Hunting and fishing and the composition of his memoirs occupied his leisure hours; by way of interlude he arranged, at the request of the discordant citizens, the internal affairs of the neighbouring colony of Puteoli as confidently and speedily as he had formerly arranged those of the capital. His last action on his sick-bed had reference to the collection of a contribution for the rebuilding of the Capitoline temple, of which he was not allowed to witness the completion.

Death of Sulla.

Little more than a year after his retirement, in the sixtieth year of his life, while yet vigorous in body and mind, he was overtaken by death; after a brief confinement to a sick-bed—he was writing at his autobiography two days even before his death—the rupture of a blood-vessel * carried him
78. off (676). His faithful fortune did not desert him even in death. He could have no wish to be drawn once more into the disagreeable vortex of party struggles, and to be obliged to lead his old warriors once more against a new revolution; yet such was the state of matters at his death in Spain and in Italy, that he could hardly have been spared this task had his life been prolonged. Already when it was suggested that he should have a public funeral in the capital, numerous voices there, which had been silent in his lifetime, were raised against the last honour which it was proposed to show to the tyrant. But his memory was still too fresh and the dread of his old soldiers too vivid: it was resolved that the body should be conveyed to the capital and that the obsequies should be celebrated there.

His funeral.

Italy never witnessed a grander funeral solemnity. In every place through which the deceased was borne in regal attire, with his well-known standards and fasces before him, the inhabitants and above all his old soldiers joined the

* Not pthiriasis, as another account states; for the simple reason that such a disease is entirely imaginary.

mourning train: it seemed as if the whole army would once more meet round the hero in death, who had in life led it so often and never except to victory. So the endless funeral procession reached the capital, where the courts kept holiday and all business was suspended, and two thousand golden chaplets awaited the dead—the last honorary gifts of the faithful legions, of the cities, and of his more intimate friends. Sulla, faithful to the usage of the Cornelian house, had ordered that his body should be buried without being burnt; but others were more mindful than he was of what past days had done and future days might do: by command of the senate the corpse of the man who had disturbed the bones of Marius from their rest in the grave was committed to the flames. Headed by all the magistrates and the whole senate, by the priests and priestesses in their official robes and the band of noble youths in equestrian armour, the procession arrived at the great market-place; at this spot, filled by his achievements and almost by the sound as yet of his dreaded words, the funeral oration was delivered over the deceased; and thence the bier was borne on the shoulders of senators to the Campus Martius, where the funeral pile was erected. While the flames were blazing, the equites and the soldiers held their race of honour round the corpse; the ashes of the regent were deposited in the Campus Martius beside the tombs of the old kings, and the Roman women mourned him for a year.

CHAPTER XI.

THE COMMONWEALTH AND ITS ECONOMY.

External and internal bankruptcy of the Roman state.

We have traversed a period of ninety years—forty years of profound peace, fifty of an almost constant revolution. It is the most inglorious epoch known in Roman history. It is true that the Alps were crossed both in an easterly and westerly direction (p. 175, 184), and the Roman arms reached in the Spanish peninsula as far as the Atlantic Ocean (p. 19) and in the Macedono-Grecian peninsula as far as the Danube (p. 184); but the laurels thus gained were as cheap as they were barren. The circle of the "extraneous peoples under the will, sway, dominion, or friendship of the Roman burgesses," * was not materially extended; men were content to realize the gains of a better age and to bring the communities attached to Rome in laxer forms of dependence more and more into full subjection. Behind the brilliant screen of provincial reunions was concealed a very sensible decline of Roman power. While the whole ancient civilization was daily more and more distinctly embraced in the Roman state and received in it a more general recognition, the nations excluded from it began simultaneously beyond the Alps and beyond the Euphrates to pass from defence to aggression. On the battle-fields of Aquae Sextiae and Vercellae, of Chaeronea and Orchomenus, were heard the first peals of that thunder-storm, which the Germanic tribes and the Asiatic hordes were destined to bring upon the Italo-Grecian world, and the last dull rolling of which has reached almost to our own times. But in internal development also this epoch bears the same character. The old organization collapses irretrievably. The Roman commonwealth was

* *Exterae nationes in arbitratu dicione potestate amicitiave populi Romani* (*lex repet.* v. 1), the official designation of the non-Italian subjects and clients as contrasted with the Italian "allies and kinsmen" (*socii nominisve Latini*).

planned as a civic community, which through its free burgess-body gave to itself rulers and laws; which was governed by these duly advised rulers within these legal limits with kingly freedom; and around which the Italian confederacy, as an aggregate of free civic communities essentially homogeneous and cognate with the Roman, and the body of extra-Italian allies, as an aggregate of Greek free cities and barbaric peoples and principalities—both more superintended, than domineered over, by the community of Rome—formed a double circle. It was the final result of the revolution—and both parties, the nominally conservative as well as the democratic party, had co-operated towards it and concurred in it—that of this venerable structure, which at the beginning of the present epoch, though full of chinks and tottering, still stood erect, not one stone was at its close left upon another. The holder of sovereign power was now either a single man or the close oligarchy of the noble or of the rich. The burgesses had lost all real share in the government. The magistrates were instruments without independence in the hands of the holder of power for the time being. The civic community of Rome had broken down by its unnatural enlargement. The Italian confederacy had been merged in the civic community. The body of extra-Italian allies was in full course of being converted into a body of subjects. The whole organic classification of the Roman commonwealth had gone to wreck, and nothing was left but a crude mass of more or less disparate elements. The state of matters threatened to end in utter anarchy and in the inward and outward dissolution of the state. The political movement tended thoroughly towards the goal of despotism; the only point still in dispute was whether the close circle of the families of rank, or the senate of capitalists, or a monarch was to be the despot. The political movement followed thoroughly the paths that led to despotism; the fundamental principle of a free commonwealth—that the contending powers should reciprocally confine themselves to indirect coercion—had become effete in the eyes of all parties alike, and on both sides the fight for power began to be carried on first by the bludgeon, and soon by the sword. The revolution, at an end in so far as the old

constitution was recognized by both sides as finally set aside and the aim and method of the new political development were clearly settled, had yet up to this time discovered nothing but provisional solutions for this problem of the reorganization of the state; neither the Gracchan nor the Sullan constitution of the community bore the stamp of finality. But the bitterest feature of this bitter time was that even hope and effort failed the clear-seeing patriot. The sun of freedom with all its endless store of blessings was constantly drawing nearer to its setting, and the twilight was settling over the very world that was still so brilliant. It was no accidental catastrophe which patriotism and genius might have warded off; it was ancient social evils—at the bottom of all, the ruin of the middle class by the slave proletariate—that brought destruction on the Roman commonwealth. The most sagacious statesman was in the plight of the physician to whom it is equally painful to prolong or to abridge the agony of his patient. Beyond doubt it was the better for the interests of Rome, the more quickly and thoroughly a despot set aside all remnants of the ancient free constitution, and invented new forms and expressions for the moderate measure of human prosperity for which absolutism leaves room: the intrinsic advantage, which belonged to monarchy under the given circumstances as compared with any oligarchy, lay mainly in the very circumstance that such a despotism, energetic in pulling down and energetic in building up, could never be exercised by a collegiate board. But such calm considerations do not mould history; it is not reason, it is passion alone, that builds for the future. The Romans had just to wait and to see how long their commonwealth would continue unable to live and unable to die, and whether it would ultimately find its master and, so far as might be possible, its regenerator, in a man of mighty gifts, or would collapse in misery and weakness.

Finances of the state.

It remains that we should notice the economic and social relations of the period before us, so far as we have not already done so.

Italian revenues.

The finances of the state were from the commencement of this epoch substantially dependent on the revenue from the

provinces. In Italy the land-tax, which had always occurred there merely as an extraordinary impost by the side of the ordinary domanial and other revenues, had not been levied since the battle of Pydna, so that absolute freedom from land-tax began to be regarded as a constitutional privilege of Roman landed property. The royalties of the state, such as the salt monopoly (ii. 348) and the right of coinage, were not now at least, if ever at all, treated as sources of income. The new tax on inheritance (ii. 406) was allowed to fall into abeyance or was perhaps directly abolished. Accordingly the Roman exchequer drew from Italy including Cisalpine Gaul nothing but the produce of the domains, particularly of the Campanian territory and of the gold mines in the land of the Celts, and the revenue from manumissions and from goods imported by sea into the Roman civic territory not for the personal consumption of the importer. Both of these may be regarded essentially as taxes on luxury, and they certainly must have been considerably augmented by the extension of Roman citizenship and at the same time of Roman customs-dues to all Italy, probably including Cisalpine Gaul.

Provincial revenues.

In the provinces the Roman state claimed directly, as its private property, the whole domain of the cities destroyed by martial law and—in those states where the Roman government came in room of the former rulers—the landed property possessed by the latter. By virtue of this right the territories of Leontini, Carthage, and Corinth, the domanial property of the kings of Macedonia, Pergamus, and Cyrene, the mines in Spain and Macedonia were regarded as Roman domains; and, in like manner with the territory of Capua, were leased by the Roman censors to private contractors for a certain proportion of the produce or a fixed sum of money. We have already explained that Gaius Gracchus went still farther, claimed the whole land of the provinces as domain, and in the case of the province of Asia practically carried out this principle; inasmuch as he legally justified the *decumae*, *scriptura*, and *vectigalia* levied there on the ground of the Roman state's right of property in the land, pasture, and coasts of the province, whether these had previously belonged to the king or to private persons (p. 121, 128).

There do not appear to have been at this period any

royalties from which the state derived profit, as respected the provinces; the prohibition of the culture of the vine and olive in Transalpine Gaul did not benefit the state-chest as such. On the other hand direct and indirect taxes were levied to a great extent. The client states recognized as fully sovereign—such as the kingdoms of Numidia and Cappadocia, the allied states (*civitates foederatae*) of Rhodes, Messana, Tauromenium, Massilia, Gades—were legally exempt from taxation, and merely bound by their treaties to support the Roman republic in time of war by regularly furnishing a fixed number of ships or men at their own expense, and, as a matter of course in case of need, by rendering extraordinary aid of any kind.

Taxes.

The rest of the provincial territory on the other hand, even including the free cities, was throughout liable to taxation; the only exceptions were the cities invested with the Roman franchise, such as Narbo, and the communities on which immunity from taxation was specially conferred (*civitates immunes*), such as Centuripa in Sicily. The direct taxes consisted partly—as in Sicily and Sardinia—of a title to the tenth* of the sheaves and other field produce as of grapes and olives, or, if the land lay in pasture, to a corresponding *scriptura*; partly—as in Macedonia, Achaia, Cyrene, the greater part of Africa, the two Spains, and by Sulla's arrangements also in Asia—of a fixed sum of money to be paid annually by each community to Rome (*stipendium*, *tributum*). This amounted, *e.g.* for all Macedonia, to 600,000 *denarii* (£24,000), for the small island of Gyaros near Andros to 150 *denarii* (£6 10*s.*), and was apparently on the whole low and less than the tax paid before the Roman rule. Those ground-tenths and pasture-moneys the state farmed out to private contractors on condition of their paying fixed quantities of grain or fixed sums of money; with respect to the latter money-payments the state drew upon the respective communities, and left it to these to assess the amount,

* This tax-tenth, which the state levied from private landed property, is to be clearly distinguished from the proprietor's tenth, which it imposed on the domain-land. The former was let in Sicily, and was fixed once for all; the latter—which, however, in Sicily only applied to the land acquired by Rome after the first Punic war, not to the territory of Leontini (comp. *Corpus Inscr. Lat.* i. p. 101)—was let by the censors in Rome, and the proportion of produce payable and other conditions were regulated at their discretion (Cic. *Verr.* iii. 6, 13; v. 21, 53; *de Leg. Agr.* i. 2, 4; ii. 18, 48).

according to the general principles laid down by the Roman government, on the persons liable, and to collect it from them.*

The indirect taxes consisted—apart from the subordinate moneys levied from roads, bridges, and canals—mainly of customs-duties. The customs-duties of antiquity were, if not exclusively, at any rate principally port-dues, less frequently frontier-dues, on imports and exports destined for sale, and were levied by each community in its ports and its territory at pleasure. The Romans recognized this principle generally, in so far as their original customs-domain did not extend farther than the range of the Roman franchise and the limit of the customs was by no means coincident with the limits of the empire, so that a general imperial tariff was unknown: it was only by means of state-treaty that a total exemption from customs-dues in the client communities was secured for the Roman state, and in various cases also at least favourable terms for the Roman burgess. But in those districts, which had not been admitted to alliance with Rome but were in the condition of subjects proper and had not acquired immunity, the customs fell as a matter of course to the proper sovereign, Customs.

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* The mode of proceeding was apparently as follows. The Roman government fixed in the first instance the kind and the amount of the tax. Thus in Asia, for instance, according to the arrangement of Sulla and Caesar the tenth sheaf was levied (Appian. *B.C.* v. 4); the Jews by Caesar's edict contributed every second year a fourth of the seed (Joseph. iv. 10, 6; comp. ii. 5); in Cilicia and Syria subsequently there was paid one per cent. on estate (Appian. *Syr.* 50), and there was in Africa also an apparently similar tax—in which case the estate seems to have been valued according to certain presumptive indications, *e.g.*, the size of the land occupied, the number of doorways, the number of head of children and slaves (*exactio capitum atque ostiorum*, Cicero, *Ad Fam.* iii. 8, 5, with reference to Cilicia; *φόρος ἐπὶ τῇ γῇ καὶ τοῖς σώμασιν*, Appian. *Pun.* 135, with reference to Africa). In accordance with this regulation the magistrates of each community under the superintendence of the Roman governor (Cic. *ad Q. Fr.* i. 1, 8; *SC. de Asclep.* 22, 23) settled who were liable to the tax, and what was to be paid by each individual (*imperata ἐπικεφάλια*, Cic. *ad Att.* v. 16); if any one did not pay this in proper time, his tax-debt was sold just as in Rome, *i.e.*, it was handed over to a contractor with an adjudication to collect it (*venditio tributorum*, Cic. *Ad Fam.* iii. 8, 5; *ὠνὰς omnium venditas*, Cic. *ad Att.* v. 16). The produce of these taxes flowed into the coffers of the leading communities—the Jews, for instance, had to send their corn to Sidon—and from these coffers the fixed amount in money was then conveyed to Rome. These taxes also were consequently levied indirectly, and the intermediate agent either retained, according to circumstances, a part of the produce of the taxes for himself, or added to it from his own substance; the distinction between this mode of levying and the other by means of the *publicani* lay merely in the circumstance, that in the former the public authorities of the contributors, in the latter Roman private speculators, constituted the intermediate agency.

that is, to the Roman community; and in consequence of this several large regions within the empire were constituted as separate Roman customs-districts, in which the several communities allied or privileged with immunity were isolated as exempt from Roman customs. Thus Sicily even from the Carthaginian period formed a distinct customs-district, on the frontier of which a tax of 5 per cent. on the value was levied from all imports or exports; thus on the frontiers of Asia there was levied in consequence of the Sempronian law (p. 121) a similar tax of $2\frac{1}{2}$ per cent.; in like manner the province of Narbo, exclusively the domain of the Roman colony, was organized as a Roman customs-district. These arrangements may have been, in addition to their fiscal objects, partly occasioned by the commendable purpose of checking the confusion inevitably arising out of a variety of communal tolls by a uniform regulation of frontier-dues. The levying of the customs, like that of the tenths, was without exception leased to middlemen.

Costs of collection.

The ordinary burdens of Roman taxpayers were limited to these imposts; but we may not overlook the fact, that the expenses of collection were very considerable, and the contributors paid an amount disproportionately great as compared with what the Roman government received. For, while the system of collecting taxes by middlemen, and especially by general lessees, is in itself the most expensive of all, in Rome effective competition was rendered extremely difficult in consequence of the slight extent to which the lettings were subdivided and the immense association of capital.

Requisitions.

To these ordinary burdens, however, fell to be added in the first place the requisitions which were made. The costs of military administration were in law defrayed by the Roman community. It provided the commander of every province with the means of transport and all other requisites; it paid and provisioned the Roman soldiers in the province. The provincial communities had to furnish merely shelter, wood, hay, and similar articles free of cost to the magistrates and soldiers; in fact the free towns were even ordinarily exempted from the winter quartering of the troops —permanent camps were not yet known. If the governor therefore needed grain, ships, slaves to man them, linen,

leather, money, or aught else, he was no doubt absolutely at liberty in time of war—nor was it far otherwise in time of peace—to demand such supplies according to his discretion and exigencies from the subject-communities or the sovereign protected states; but these supplies were, like the Roman land-tax, treated legally as purchases or advances, and the value was immediately or afterwards made good by the Roman exchequer. Nevertheless these requisitions became, if not in the theory of state-law, at any rate practically, one of the most oppressive burdens of the provincials; and the more so, that the amount of compensation was ordinarily settled by the government or by the governor after a one-sided fashion. We meet indeed with several legislative restrictions on this dangerous right of requisition of the Roman superior magistrates: for instance, the rule already mentioned, that in Spain there should not be taken from the country people by requisitions for grain more than the twentieth sheaf, and that the price of this should be equitably settled (ii. 225); the fixing of a maximum quantity of grain to be demanded by the governor for the wants of himself and his retinue; the previous adjustment of a definite and high rate of compensation for the grain which was frequently required, at least from Sicily, for the wants of the capital. But, while by such rules the pressure of those requisitions on the economy of the communities and of individuals in the province was doubtless mitigated here and there, it was by no means removed. In extraordinary crises this pressure unavoidably increased and often went beyond all bounds, for then in fact the requisitions not unfrequently assumed the form of a punishment imposed or that of voluntary contributions enforced, and compensation was thus wholly withheld. Thus Sulla in 670–671 compelled the provincials 84–83.
of Asia Minor, who certainly had very gravely offended against Rome, to furnish to every common soldier quartered among them forty-fold pay (per day 16 *denarii* = 11*s.*), to every centurion seventy-five-fold pay, in addition to clothing and meals along with the right to invite guests at pleasure; thus the same Sulla soon afterwards imposed a general contribution on the client and subject communities (p. 390), in which case nothing, of course, was said of repayment.

Local burdens.

Further the local public burdens are not to be left out of view. They must have been, comparatively, very considerable; * for the costs of administration, the keeping of the public buildings in repair, and generally all civil expenses were borne by the local budget, and the Roman government simply undertook to defray the military expenses from their coffers. But even of this military budget considerable items were devolved on the communities—such as the expense of making and maintaining the non-Italian military roads, the costs of the fleets in the non-Italian seas, nay even in great part the outlay for the army, inasmuch as the forces of the client-states as well as those of the subjects were regularly liable to serve at the expense of their communities within their province, and began to be employed with increasing frequency even beyond it—Thracians in Africa, Africans in Italy, and so on—at the discretion of the Romans (p. 210). If the provinces only and not Italy paid direct taxes to the government, this was equitable in a financial, if not in a political, aspect so long as Italy alone bore the burdens and expense of the military system; but from the time that this system was abandoned, the provincials were, in a financial point of view, decidedly overburdened.

Extortions.

Lastly we must not forget the great chapter of injustice by which in manifold ways the Roman magistrates and farmers of the revenue augmented the burden of taxation on the provinces. Although every present which the governor took might be treated legally as an exaction, and even his right of purchase might be restricted by law, yet the exercise of his public functions offered to him, if he was disposed to do wrong, ample pretexts for doing so. The quartering of the troops; the free lodging of the magistrates and of the host of adjutants of senatorial or equestrian rank, of clerks, lictors, heralds, physicians, and priests; the right which the messengers of the state had to be forwarded free of cost; the approval of, and providing transport for, the supplies payable in kind; above all the forced sales and

* For example, in Judaea the town of Joppa paid 26,075 *modii* of corn, the other Jews the tenth sheaf to the native princes; to which fell to be added the temple-tribute and the payment to Sidon destined for the Romans. In Sicily too, in addition to the Roman tenth, a very considerable local taxation was raised from property.

the requisitions—gave all magistrates opportunity to bring home princely fortunes from the provinces. And the plundering became daily more general, the more that the control of the government appeared to be worthless and that of the capitalist-courts to be in reality dangerous to the upright magistrate alone. The institution of a standing commission regarding the exactions of magistrates in the provinces, occasioned by the frequency of complaints as to such cases, in 605 (p. 76), and the laws as to extortion following each other so rapidly and constantly augmenting its penalties, show the daily increasing height of the evil, as the Nilometer shows the rise of the flood. 149.

Under all these circumstances even a taxation moderate in theory might become extremely oppressive in its actual operation; and that it was so is beyond doubt, although the financial oppression, which the Italian merchants and bankers exercised over the provinces, was probably felt as a far heavier burden than the taxation with all the abuses that attached to it.

Aggregate financial result.

All things considered, the income which Rome drew from the provinces was not properly a taxation of the subjects in the sense which we now attach to that expression, but rather in the main a revenue that may be compared with the Attic tributes, by means of which the leading state defrayed the expense of the military system which it maintained. This explains the singularly small amount of the gross as well as of the net proceeds. There exists a statement, according to which the income of Rome, exclusive, it may be presumed, of the Italian revenues and of the grain delivered in kind to Italy by the *decumani*, up to 691 amounted to not more than 200 millions of sesterces (£2,000,000); that is, but two-thirds of the sum which the king of Egypt drew from his country annually. The proportion can only seem strange at the first glance. The Ptolemies turned to account the valley of the Nile as great plantation-owners, and drew immense sums from their monopoly of the commercial intercourse with the East; the Roman treasury was not much more than the joint military chest of the communities united under Rome's protection. The net produce was probably still less in proportion. The only provinces yielding a con- 63.

siderable surplus were perhaps Sicily, where the Carthaginian system of taxation prevailed, and more especially Asia from the time that Gaius Gracchus, in order to provide for his largesses of corn, had carried out the confiscation of the soil and a general domanial taxation there. According to manifold testimonies the finances of the Roman state were essentially dependent on the revenues of Asia. The assertion sounds quite credible that the other provinces on an average cost nearly as much as they brought in; in fact those which required a considerable garrison, such as the two Spains, Transalpine Gaul, and Macedonia, probably often cost more than they yielded. On the whole certainly the Roman treasury in ordinary times possessed a surplus, which enabled them amply to defray the expense of the buildings of the state and city, and to accumulate a reserve-fund; but even the figures appearing for these objects, when compared with the wide domain of the Roman rule, attest the small amount of the net proceeds of the Roman taxes. In a certain sense therefore the old principle equally honourable and judicious—that the political hegemony should not be treated as a privilege yielding profit—still governed Rome's financial administration of the provinces as it had governed that of Italy. What the Roman community levied from its transmarine subjects was, as a rule, re-expended for the military security of the transmarine possessions; and if these Roman imposts fell more heavily on those who paid them than the earlier taxation, in so far as they were in great part expended abroad, the substitution, on the other hand, of a single ruler and a centralized military administration for the many petty rulers and armies involved a very considerable financial saving. It is true, however, that this principle of a better and earlier age came from the very first to be infringed and mutilated by the numerous exceptions which were allowed to prevail. The ground-tenth levied by Hiero and Carthage in Sicily went far beyond the amount of an annual war-contribution. With justice moreover Scipio Aemilianus says in Cicero, that it was unbecoming for the Roman burgess-body to be at the same time the ruler and the tax-gatherer of the nations. The appropriation of the customs-dues was not compatible with the principle of dis-

interested hegemony, and the high rates of the customs as well as the vexatious mode of levying them were not fitted to allay the sense of the injustice thereby inflicted. Even as early probably as this period the name of publican became synonymous among the Eastern peoples with that of rogue and robber: no burden contributed so much as this to make the Roman name offensive and odious especially in the East. But when Gaius Gracchus and those who called themselves the "popular party" in Rome came to the helm, political sovereignty was declared in plain terms to be a right which entitled every one who shared in it to a number of bushels of corn, the hegemony was converted into a direct ownership of the soil, and the most complete system of making the most of that ownership was not only introduced but with shameless candour legally justified and proclaimed. It was certainly not a mere accident, that the hardest lot in this respect fell precisely to the two least warlike provinces, Sicily and Asia.

The finances and public buildings.

An approximate measure of the condition of Roman finance at this period is furnished, in the absence of definite statements, first of all by the public buildings. In the earlier portion of this epoch these were prosecuted on the greatest scale, and the construction of roads in particular had at no time been so energetically pursued. In Italy the great southern highway of probably earlier origin, which as a prolongation of the Appian road ran from Rome by way of Capua, Beneventum, and Venusia to the ports of Tarentum and Brundisium, had attached to it a branch-road from Capua to the Sicilian straits, a work of Publius Popillius, consul in 622. On the east coast, where hitherto only the section from Fanum to Ariminum had been constructed as part of the Flaminian highway (ii. 87), the coast road was prolonged southward as far as Brundisium, northward by way of Hatria on the Po as far as Aquileia, and the portion at least from Ariminum to Hatria was formed by the Popillius just mentioned in the same year. The two great Etruscan highways—the coast or Aurelian road from Rome to Pisa and Luna, which was in course of formation in 631, and the Cassian road leading by way of Sutrium and Clusium to Arretium and Florentia, which seems not to have been

132.

123.

171. constructed before 583—were probably first recognized at this time as Roman public highways. About Rome itself new projects were not required; but the Mulvian bridge (Ponte Molle), by which the Flaminian road crossed the
109. Tiber not far from Rome, was in 645 reconstructed of stone. Lastly in Northern Italy, which hitherto had possessed no other artificial road than the Flaminio-Aemilian terminating at Placentia, the great Postumian road was con-
148. structed in 606, which led from Genua by way of Dertona, where probably a colony was founded at the same time, Placentia, where it joined the Flaminio-Aemilian road, Cremona and Verona to Aquileia, and thus connected the Tyrrhenian and Adriatic seas; to which was added the communication
109. established in 645 by Marcus Aemilius Scaurus between Luna and Genua, which connected the Postumian road directly with Rome. Gaius Gracchus exerted himself in another way for the improvement of the Italian roads. He secured the due repair of the great rural roads by assigning, on occasion of his distribution of lands, pieces of ground alongside of the roads, to which was attached the obligation of keeping them in repair as an heritable burden. To him, moreover, or at any rate to the allotment-commission, the custom of erecting milestones appears to be traceable, as well as that of marking the limits of fields by regular boundary-stones. Lastly he provided for good *viae vicinales*, with the view of thereby promoting agriculture. But of still greater moment was the construction of the imperial highways in the provinces, which beyond doubt began in this epoch. The Domitian highway after long preparations (ii. 210) furnished a secure land-route from Italy to Spain, and was closely connected with the founding of Aquae Sextiæ and Narbo (p. 179); the Gabinian (p. 186) and the Egnatian (p. 45) led from the principal places on the east coast of the Adriatic sea—the former from Salona, the latter from Apollonia and Dyrrhachium—into the interior. Of the origin of these works no mention is to be found in the fragmentary tradition of this epoch, but they were nevertheless undoubtedly connected with the Gallic, Dalmatian, and Macedonian wars of this age, and came to be of the greatest

importance for the centralization of the state and the civilizing of the subjugated barbarian districts.

In Italy at least great works of drainage were prosecuted as well as the formation of roads. In 594 the drying of the Pomptine marshes—a vital matter for Central Italy—was set about with great energy and at least temporary success; in 645 the draining of the low-lying lands between Parma and Placentia was effected in connection with the construction of the north Italian highway. Moreover, the government did much for the Roman aqueducts, as indispensable for the health and comfort of the capital as they were costly. Not only were the two that had been in existence since the years 442 and 492—the Appian and the Anio aqueducts—thoroughly repaired in 610, but two new ones were formed; the Marcian in 610, which remained afterwards unsurpassed for the excellence and abundance of the water, and the Calida as it was called, nineteen years later. The power of the Roman exchequer to execute great operations by means of payments in pure cash without making use of the system of credit, is very clearly shown by the way in which the Marcian aqueduct was created: the sum required for it of 180,000,000 sesterces (in gold nearly £2,000,000) was raised and applied within three years. This leads us to infer a very considerable reserve in the treasury: in fact at the very beginning of this period it amounted to almost £860,000 (ii. 349, 405), and was doubtless constantly on the increase.

160. 109. 312. 262. 144.

All these facts taken together certainly lead to the inference that the position of the Roman finances at this epoch was on the whole favourable. Only we may not in a financial point of view overlook the fact that, while the government during the two earlier thirds of this period executed splendid and magnificent buildings, it neglected to make other outlays at least as necessary. We have already indicated how unsatisfactory were its military arrangements; the frontier countries and even the valley of the Po (p. 183) were pillaged by barbarians, and bands of robbers made havoc in the interior even of Asia Minor, Sicily, and Italy. The fleet was totally neglected; there was hardly any longer a Roman

vessel of war; and the vessels, which the subject cities were required to build and maintain, were not sufficient, so that Rome was not only absolutely unable to carry on a naval war, but was not even in a position to check the trade of piracy. In Rome itself a number of the most necessary improvements were left untouched, and the river-buildings in particular were singularly neglected. The capital still possessed no other bridge over the Tiber than the primitive wooden gangway, which led over the Tiber island to the Janiculum; the Tiber was still allowed to lay the streets every year under water, and to demolish houses and in fact not unfrequently whole districts, without anything being done to strengthen the banks; mighty as was the growth of transmarine trade, the roadstead of Ostia—already by nature bad—was allowed to become more and more sanded up. A government, which under the most favourable circumstances and in an epoch of forty years of peace abroad and at home neglected such duties, might easily allow taxes to fall into abeyance and yet obtain an annual surplus of income over expenditure and a considerable reserve; but such a financial administration by no means deserves commendation for its mere semblance of brilliant results, but rather merits the same censure—in respect of laxity, want of unity in management, mistaken flattery of the people—as falls to be brought in every other sphere of political life against the senatorial government of this epoch.

The finances in the revolution.

The financial condition of Rome of course assumed a far worse aspect, when the storms of revolution set in. The new and, even in a mere financial point of view, extremely oppressive burden imposed upon the state by the obligation under which Gaius Gracchus placed it to furnish corn at nominal rates to the burgesses of the capital, was certainly counterbalanced at first by the newly-opened sources of income in the province of Asia. Nevertheless the public buildings seem from that time to have almost come to a standstill. While the public works which can be shown to have been constructed from the battle of Pydna down to the time of Gaius Gracchus were numerous, from the period after 632 there is scarcely mention of any other than the projects of bridges, roads, and drainage which Marcus Aemilius Scaurus

122.

organized as censor in 645. It must remain a moot point whether this was the effect of the largesses of grain or, as is perhaps more probable, the consequence of the system of increased savings, such as befitted a government which became daily more and more a rigid oligarchy, and such as is indicated by the statement that the Roman reserve reached its highest point in 663. The terrible storm of insurrection and revolution, in combination with the five years' deficit of the revenues of Asia Minor, was the first serious trial to which the Roman finances were subjected after the Hannibalic war: they failed to sustain it. Nothing perhaps so clearly marks the difference of the times as the circumstance that in the Hannibalic war it was not till the tenth year of the struggle, when the burgesses were almost sinking under taxation, that the reserve was touched (ii. 183); whereas the Social war was from the first supported by the balance in hand, and when this was expended after two campaigns to the last penny, they preferred to sell by auction the public sites in the capital (p. 267) and to seize the treasures of the temples (p. 352) rather than levy a tax on the burgesses. The storm however, severe as it was, passed over; Sulla, at the expense doubtless of enormous economic sacrifices imposed on the subjects and Italian revolutionists in particular, restored order to the finances and, by abolishing the largesses of corn and retaining although in a reduced form the Asiatic revenues, secured for the commonwealth a satisfactory economic condition, at least in the sense of the ordinary expenditure remaining far below the ordinary income.

109.

91.

Private economics.

In the private economics of this period hardly any new feature emerges; the advantages and disadvantages formerly set forth as incident to the social circumstances of Italy (ii. 385–414) were not altered, but merely farther and more distinctly developed. In agriculture we have already seen that the growing power of Roman capital was gradually absorbing the intermediate and small landed estates in Italy as well as in the provinces, as the sun absorbs the drops of rain. The government not only looked on without preventing, but even promoted this injurious division of the soil by particular measures, especially by prohibiting the production of wine and oil beyond the Alps with a view to favour the great

Agriculture.

Italian landlords and merchants.* It is true that both the opposition and the section of the conservatives that entered into ideas of reform worked energetically to counteract the evil; the two Gracchi, by carrying out the distribution of almost the whole domain land, gave to the state 80,000 new Italian farmers; Sulla, by settling 120,000 colonists in Italy, filled up at least in part the gaps which the revolution and he himself had made in the ranks of the Italian yeomen. But, when a vessel is emptying itself by constant efflux, the evil is to be remedied not by pouring in even considerable quantities, but only by the establishment of a constant influx—a remedy which was on various occasions attempted, but was not successful. In the provinces, not even the smallest effort was made to save the farmer class there from being bought out by the Roman speculators; the provincials, forsooth, were merely men, and belonged to no party. The consequence was, that even the rents of the soil beyond Italy flowed more and more to Rome. Moreover the plantation-system, which about the middle of this epoch had already gained the ascendant even in particular districts of Italy, such as Etruria, had, through the co-operation of an energetic and methodical management and abundant pecuniary resources, attained to a state of high prosperity after its kind. The production of Italian wine in particular, which was artificially promoted partly by the opening of forced markets in a portion of the provinces, partly by the prohibition of foreign wines in Italy
161. as expressed for instance in the sumptuary law of 593, attained very considerable results: the Aminean and Falernian wine began to be named by the side of the Thasian and
121. Chian, and the "Opimian wine" of 633, the most famous Roman vintage, was long remembered after the last jar was exhausted.

Trades. Of trades and manufactures there is nothing to be said, except that the Italian nation in this respect persevered in an inactivity bordering on barbarism. They destroyed the Corinthian factories, the depositories of so many valuable

* P. 178. With this may be connected the remark of the Roman agriculturist, Saserna, who lived after Cato and before Varro (*ap.* Colum. i. 1, 5), that the culture of the vine and olive was constantly moving farther to the north. The decree of the senate as to the translation of the treatise of Mago (p. 87) belongs also to this class of measures.

industrial traditions—not however that they might establish similar factories for themselves, but that they might buy up at extravagant prices such Corinthian vases of earthenware or copper and similar "antique works" as were preserved in Greek houses. The trades that were still somewhat prosperous, such as those connected with building, were productive of hardly any benefit for the commonwealth, because here too the system of employing slaves interposed in every more considerable undertaking: in the construction of the Marcian aqueduct, for instance, the government concluded contracts for building and materials simultaneously with 3000 master-tradesmen, each of whom then performed the work contracted for with his band of slaves.

Money-dealing and commerce.

The most brilliant, or rather the only brilliant, side of Roman private economics was money-dealing and commerce. First of all stood the leasing of the domains and of the taxes, through which a large, perhaps the larger, part of the income of the Roman state flowed into the pocket of the Roman capitalists. The money-dealings, moreover, throughout the range of the Roman state were monopolized by the Romans; every penny circulated in Gaul, it is said in a writing issued soon after the end of this period, passes through the books of the Roman merchants, and so it was doubtless everywhere. The co-operation of a rude economic condition and of the unscrupulous employment of Rome's political ascendancy for the benefit of the private interests of every wealthy Roman rendered a usurious system of interest universal, as is shown for example by the treatment of the war-tax imposed by Sulla on the province of Asia in 670, which the Roman capitalists advanced; it 84. swelled with paid and unpaid interest within fourteen years to sixfold its original amount. The communities had to sell their public buildings, their works of art and jewels, parents had to sell their grown-up children, in order to meet the claims of the Roman creditor: it was no rare occurrence for the debtor to be not merely subjected to moral torture, but directly placed upon the rack. To these sources of gain fell to be added the wholesale traffic. The exports and imports of Italy were very considerable. The former consisted chiefly of wine and oil, with which Italy and

Greece almost exclusively—for the production of wine in the Massiliot and Turdetanian territories can at that time have been but small—supplied the whole region of the Mediterranean; Italian wine was sent in considerable quantities to the Balearic islands and Celtiberia, to Africa, which was merely a corn and pasture country, to Narbo and the interior of Gaul. Still more considerable was the importation to Italy, where at that time all luxury was concentrated, and whither most articles of luxury for food, drink, or clothing, ornaments, books, household furniture, works of art were imported by sea. The traffic in slaves, above all, received through the ever-increasing demand of the Roman merchants an impetus to which no parallel had been known in the region of the Mediterranean, and which was very closely connected with the flourishing of piracy. All lands and all nations were laid under contribution for slaves, but the places where they were chiefly captured were Syria and the interior of Asia Minor (p. 82).

Ostia, Puteoli.

In Italy the transmarine imports were chiefly concentrated in the two great emporia on the Tyrrhene sea, Ostia and Puteoli. The grain destined for the capital was brought to Ostia, which was far from having a good roadstead, but which as the nearest port to Rome was the most appropriate mart for less valuable wares; whereas the traffic in luxuries with the East was directed mainly to Puteoli, which recommended itself by its good harbour for ships with valuable cargoes, and presented in its immediate neighbourhood a market little inferior to that of the capital—the district of Baiae, which came to be more and more filled with villas. For a long time this latter traffic was conducted through Corinth and after its destruction through Delos, and in this sense accordingly Puteoli is called by Lucilius the Italian "Little Delos;" but after the catastrophe which befel Delos in the Mithradatic war (p. 312), and from which it never recovered, the Puteolans entered into direct commercial connections with Syria and Alexandria, and their city became more and more decidedly the first seat of transmarine commerce in Italy. But it was not merely the gain which was made by the Italian exports and imports, that fell mainly to the Italians; at Narbo they competed in the Celtic trade

with the Massiliots, and in general it admits of no doubt that the Roman merchants to be met with everywhere, floating or settled, took to themselves the best share of all speculations.

Capitalist oligarchy.

Putting together these phenomena, we recognize as the most prominent feature in the private economy of this epoch the financial oligarchy of Roman capitalists standing alongside of, and on a par with, the political oligarchy. In their hands were united the rents of the soil of almost all Italy and of the best portions of the provincial territory, the proceeds at usury of the capital monopolized by them, the commercial gain from the whole empire, and lastly, a very considerable part of the Roman state-revenue in the form of profits accruing from the lease of that revenue. The daily increasing accumulation of capital is evident in the rise of the average rate of wealth: 3,000,000 sesterces (£30,000) was now a moderate senatorial, 2,000,000 (£20,000) was a decent equestrian fortune; the property of the wealthiest man of the Gracchan age, Publius Crassus consul in 623, 131. was estimated at 100,000,000 sesterces (£1,000,000). It is no wonder that this capitalist order exercised a preponderant influence on external policy; that it destroyed out of commercial rivalry Carthage and Corinth (p. 25, 54) as the Etruscans had formerly destroyed Alalia and the Syracusans Caere; that it in spite of the senate upheld the colony of Narbo (p. 179). It is likewise no wonder, that this capitalist oligarchy engaged in earnest and often victorious competition with the oligarchy of the nobles in internal politics. But it is also no wonder, that ruined men of wealth put themselves at the head of bands of revolted slaves (p. 147), and rudely reminded the public that the transition is easy from the haunts of fashionable debauchery to the robber's cave. It is no wonder, that that financial tower of Babel, with its foundation not purely economic but borrowed from the political ascendancy of Rome, tottered at every serious political crisis nearly in the same way as our very similar fabric of a paper currency. The great financial crisis, which in consequence of the Italo-Asiatic commotions of 664 *et seq.* 90. set in upon the Roman capitalist-class, the bankruptcy of the state and of private persons, the general depreciation of

landed property and of joint stock shares, can no longer be traced out in detail; but their general nature and their importance are placed beyond doubt by their results—the murder of the praetor by a band of creditors (p. 271), the attempt to eject from the senate all the senators not free of debt (p. 272), the renewal of the maximum of interest by Sulla (p. 281), the annulling of 75 per cent. of all debts by the revolutionary party (p. 342).

Mixture of the nations

The consequence of this system was naturally general impoverishment and depopulation in the provinces, whereas the parasitic population of migratory or temporarily settled Italians was everywhere on the increase. In Asia Minor 80,000 men of Italian origin are said to have perished in one day (p. 310). How numerous they were in Delos, is evident from the tombstones still extant on the island and from the statement that 20,000 foreigners, mostly Italian merchants, were put to death there by command of Mithradates (p. 312). In Africa the Italians were so many, that even the Numidian town of Cirta was chiefly defended by them against Jugurtha (p. 154). Gaul too, it is said, was filled with Roman merchants; in the case of Spain alone—perhaps not accidentally—no statements of this sort are found. In Italy itself on the other hand the condition of the free population at this epoch had on the whole beyond doubt retrograded. To this result certainly the civil wars essentially contributed, which according to statements of a general kind and but little reliable, are alleged to have swept away from 100,000 to 150,000 of the Roman burgesses and 300,000 of the Italian population generally; but still worse was the effect of the economic ruin of the middle class and of the boundless extent of the mercantile emigration which induced a great portion of the Italian youth to spend their most vigorous years abroad.

Italians abroad.

Foreigners in Italy.

A compensation of very dubious value was afforded by the free parasitic Hellenico-Oriental population, which sojourned in the capital as diplomatic agents for kings or communities, as physicians, schoolmasters, priests, servants, parasites, and in the myriad employments of sharpers and swindlers, or as traders and mariners frequented especially Ostia, Puteoli, and Brundisium. Still more hazardous was the dis-

proportionate increase of the multitude of slaves in the peninsula. The Italian burgesses by the census of 684 numbered 910,000 men capable of bearing arms, to which number, in order to obtain the amount of the free population in the peninsula, those accidentally passed over in the census, the Latins in the district between the Alps and the Po, and the foreigners domiciled in Italy, have to be added, while the Roman burgesses domiciled abroad are to be deducted. It will therefore be scarcely possible to estimate the free population of the peninsula at more than from six to seven millions. If its whole population at this time was equal to that of the present day, we should have to assume accordingly a mass of slaves amounting to thirteen or fourteen millions. It needs however no such fallacious calculations to render the dangerous character of this state of things apparent; this is loudly enough attested by the partial servile insurrections, and by the appeal which from the beginning of the revolution was at the close of every outbreak addressed to the slaves to take up arms against their masters and to fight out their liberty. If we conceive of England with its lords, its squires, and above all its City, but with its freeholders and farmers converted into proletarians, and its labourers and sailors converted into slaves, we shall gain an approximate image of the population of the Italian peninsula in those days. Italian slaves. [70.

The economic relations of this epoch are clearly mirrored to us even now in the Roman monetary system. Its treatment shows throughout the sagacious merchant. For long gold and silver stood side by side as general means of payment on such a footing that, while for the purpose of general cash-balances a fixed ratio of value was legally laid down between the two metals (ii. 404), the giving one metal for the other was not, as a rule, optional, but payment was to be in gold or silver according to the tenor of the bond. In this way the great evils were avoided, that are otherwise inevitably associated with the setting up of two precious metals; the severe gold crises—as about 600, for instance, when in consequence of the discovery of the Tauriscan gold-seams (p. 183) gold as compared with silver fell at once in Italy about 33⅓ per cent—exercised at least no direct Monetary system. Gold and silver. 150.

influence on the silver money and retail transactions. The nature of the case implied that, the more transmarine traffic extended, gold the more decidedly rose from the second place to the first; and that it did so, is confirmed by the statements as to the balances in the treasury and as to its transactions; but the government was not thereby induced to introduce gold into the coinage. The coining of gold attempted in the exigency of the Hannibalic war (ii. 183) had been long allowed to fall into abeyance; the few gold pieces which Sulla struck as regent were scarcely more than pieces coined for the convenience of his triumphal presents. Silver still as before circulated exclusively as actual money; gold, whether it, as was usual, circulated in bars or bore the stamp of a foreign or possibly even of an inland mint, was taken solely by weight. Nevertheless gold and silver were on a par as means of exchange, and the fraudulent alloying of gold was treated in law, like the issuing of spurious silver money, as a monetary offence. They thus obtained the immense advantage of precluding, in the case of the most important medium of exchange, even the possibility of monetary fraud and adulteration. Otherwise the coinage was as copious as it was of exemplary purity. After the silver piece had been reduced in the Hannibalic war from $\frac{1}{72}$ (i. 493) to $\frac{1}{84}$ of a pound (ii. 183), it retained for more than three centuries quite the same weight and the same quality; no alloying took place. The copper money became about the beginning of this period restricted to small change, and ceased to be employed as formerly in large transactions; for this reason the *as* was probably no longer coined after the beginning of the seventh century, and the copper coinage was confined to the smaller values of a *semis* ($\frac{1}{4}d.$) and under, which could not well be represented in silver. The sorts of coins were arranged according to a simple principle, and in the then smallest coin of the ordinary issue —the *quadrans* ($\frac{1}{8}d.$)—carried down to the limit of appreciable value. It was a monetary system, which, for the judicious principles on which it was based and for the iron rigour with which they were applied, stands alone in antiquity and has been but rarely paralleled even in modern times.

Token-money.

Yet it had also its weak point. According to a custom, common in all antiquity, but which reached its highest

development at Carthage (ii. 21), the Roman government issued along with the good silver *denarii* also *denarii* of copper plated with silver, which had to be accepted like the former and were just a token-money analogous to our paper currency, with compulsory circulation and recourse on the public chest, inasmuch as it also was not entitled to reject the plated pieces. This was no more an official adulteration of the coinage than our manufacture of paper money, for they practised the thing quite openly; Marcus Drusus proposed in 663, with the view of gaining the means for his largesses of grain, the sending forth of one plated *denarius* for every seven silver ones issuing fresh from the mint; nevertheless this measure not only offered a dangerous handle to private forgery, but designedly left the public uncertain whether it was receiving silver or token money, and to what total amount the latter was in circulation. In the embarrassed period of the civil war and of the great financial crisis they seem to have so unduly availed themselves of plating, that a monetary crisis accompanied the financial one, and the quantity of spurious and really worthless pieces rendered dealings extremely insecure. Accordingly during the Cinnan government an enactment was passed by the praetors and tribunes, primarily by Marcus Marius Gratidianus (p. 370), for redeeming all the token-money by means of silver money, and for that purpose an assay-office was established. How far the calling-in was effected, tradition has not told us; the coining of token-money itself continued to subsist. 91.

As to the provinces, in accordance with the setting aside of gold money on principle, the coining of gold was nowhere permitted, not even in the client-states; so that a gold coinage at this period occurs only where Rome had nothing at all to say, especially among the Celts to the north of the Cevennes and among the states in revolt against Rome; the Italians, for instance, as well as Mithradates Eupator struck gold coins. The government seems to have made efforts to bring the coinage of silver also more and more into its hands, particularly in the West. In Africa and Sardinia the Carthaginian gold and silver money may have remained in circulation even after the fall of the Carthaginian state; but no coinage of precious metals took place after either the Cartha- Provincial money. Currency of the West.

ginian or the Roman standard, and certainly very soon after the Romans took possession, the *denarius* introduced from Italy acquired the predominance in the transactions of the two countries. In Spain and Sicily, which came earlier to the Romans and experienced altogether a milder treatment, silver was no doubt coined under the Roman rule, and indeed in the former country the silver coinage was first called into existence by the Romans and based on the Roman standard (ii. 71, 219, 404); but there exist good grounds for the supposition, that in both these countries, at least from the beginning of the seventh century, the provincial and urban mints were under the necessity of restricting their issues to copper small money. Only in Narbonese Gaul the right of coining silver could not be withdrawn from the old-allied and considerable free city of Massilia; and the same was probably true of the Greek cities in Illyria, Apollonia and Dyrrhachium. But the privilege of these communities to coin money was restricted indirectly by the fact, that the three-quarter *denarius*, which by ordinance of the Roman government was coined both at Massilia and in Illyria, and which had been under the name of *victoriatus* received into the Roman monetary system (ii. 404), was about the middle of the seventh century set aside in the latter; the effect of which necessarily was, that the Massiliot and Illyrian currency was driven out of Upper Italy and only remained in circulation, over and above its native field, perhaps in the regions of the Alps and the Danube. Such progress had thus been made already in this epoch, that the standard of the *denarius* exclusively prevailed in the whole western division of the Roman state; for Italy, Sicily—of which it is as respects the beginning of the next period expressly attested, that no other silver money circulated there but the *denarius*—Sardinia, Africa, used exclusively Roman silver money, and the provincial silver still current in Spain as well as the silver money of the Massiliots and Illyrians were at least struck after the standard of the *denarius*.

Currency of the East.

It was otherwise in the East. Here, where the number of the states coining money from olden times and the quantity of native coin in circulation were very considerable, the *denarius* did not make its way into wider acceptance, although

it was perhaps declared a legal tender. Either the previous monetary standard continued in use, as in Macedonia for instance, which still as a province—although partially adding the names of the Roman magistrates to that of the country—struck its Attic *tetradrachmae* and certainly employed in substance no other money; or a peculiar money-standard corresponding to the circumstances was introduced under Roman authority, as on the institution of the province of Asia, when a new *stater*, the *cistophorus* as it was called, was prescribed by the Roman government and was thenceforth struck by the district-capitals there under Roman superintendence. This essential diversity between the Occidental and Oriental systems of currency came to be of the greatest historical importance: the Romanizing of the subject lands found one of its mightiest levers in the adoption of Roman money, and it was not through mere accident that what we have designated at this epoch as the field of the *denarius* became afterwards the Latin, while the field of the *drachma* became afterwards the Greek, division of the empire. Still at the present day the former field substantially represents the sum of Romanic culture, whereas the latter has severed itself from European civilization.

State of manners.

It is easy to form a general conception of the aspect which under such economic conditions the social relations must have assumed; but to follow out in detail the increase of luxury, of prices, of fastidiousness and frivolity is neither pleasant nor instructive. Extravagance and sensual enjoyment formed the main object with all, among the *parvenus* as well as among the Licinii and Metelli; not the polished luxury which is the acme of civilization, but that sort of luxury which had developed itself amidst the decaying Hellenic civilization of Asia Minor and Alexandria, which degraded everything beautiful and significant to the purpose of decoration and studied enjoyment with a laborious pedantry, a precise punctiliousness, rendering it equally nauseous to the man of fresh feeling as to the man of fresh intellect.

Increased extravagance.

Popular festivals

As to the popular festivals, the importation of transmarine wild beasts prohibited in the time of Cato (ii. 437) was, apparently about the middle of this century, formally permitted anew by a decree of the burgesses proposed by Gnaeus

Aufidius; the effect of which was, that animal hunts came into enthusiastic favour and formed a chief feature of the burgess-festivals. Several lions first appeared in the Roman
103. 99. arena about 651, the first elephants about 655; Sulla when
93. praetor exhibited a hundred lions in 661. The same holds true of gladiatorial games. If the forefathers had publicly exhibited representations of great battles, their grandchildren began to do the same with their gladiatorial games, and by means of such leading or state performances of the age to make themselves a laughing-stock to their descendants. What sums were spent on these and on funeral solemnities generally, may be inferred from the testament of Marcus
187. 175. 152. Aemilius Lepidus (consul in 567, 579; + 602); he gave orders to his children, forasmuch as the true last honours consisted not in empty pomp but in the remembrance of personal and ancestral services, to expend on his funeral not more than 1,000,000 *asses* (£4000). Luxury was on the
Buildings. increase also as respected houses and gardens; the splendid
91. town house of the orator Crassus (+ 663), famous especially for the old trees of its garden, was valued with the trees at 6,000,000 sesterces (£60,000), without them at the half; while the value of an ordinary dwelling-house in Rome may be estimated perhaps at 60,000 sesterces (£600).* How quickly the prices of ornamental estates increased, is shown by the instance of the Misenian villa, for which Cornelia, the mother of the Gracchi, paid 75,000 ses-
74. terces (£750), and Lucius Lucullus, consul in 680, thirty-three times that price. The villas and the luxurious rural and sea-bathing life rendered Baiae and generally the district around the Bay of Naples the El Dorado of noble idleness.
Games. Games of hazard, in which the stake was no longer as in the Italian dice-playing a trifle, became common, and as early as
115. 639 a censorial edict was issued against them. Gauze fabrics,
Dress. which displayed rather than concealed the figure, and silken

* In the house, which Sulla lived in when a young man, he paid for the ground floor a rent of 3000 sesterces, and the tenant of the upper story a rent of 2000 sesterces (Plutarch, *Sull.* 1); which, capitalised at two-thirds of the usual interest on capital, yields nearly the above amount. This was a cheap house. That a rent of 3000 sesterces (£60) in the capital is called a high one in the case of the year 629 (Vell. ii. 10) must have been due to special circumstances.

clothing began to displace the old woollen dresses among women and even among men. Against the insane extravagance in the employment of foreign perfumery the sumptuary laws interfered in vain.

The table.

But the real focus in which the brilliance of this genteel life was concentrated was the table. Extravagant prices—as much as 100,000 sesterces (£1000)—were paid for an exquisite cook. Houses were constructed with special reference to this object, and the villas in particular along the coast were provided with salt-water tanks of their own, in order that they might furnish marine fishes and oysters at any time fresh to the table. A dinner was already described as poor, at which the fowls were served up to the guests entire and not merely the choice portions, and at which the guests were expected to eat of the several dishes and not simply to taste them. They procured at a great expense foreign delicacies and Greek wine, which had to be sent round at least once at every respectable repast. At banquets above all the Romans displayed their hosts of slaves ministering to luxury, their bands of musicians, their dancing-girls, their elegant furniture, their carpets glittering with gold or pictorially embroidered, their purple hangings, their antique bronzes, their rich silver plate. Against such displays the sumptuary laws were primarily directed, which were issued more frequently (593, 639, 665, 673) and in greater detail than ever; a number of delicacies and wines were therein totally prohibited, for others a maximum in weight and price was fixed; the quantity of silver plate was likewise restricted by law, and lastly general maximum rates were prescribed for the expenses of ordinary and festal meals; these, for example, were fixed in 593 at 10 and 100 sesterces (2*s.* and £1) in 673 at 30 and 300 sesterces (6*s.* and £3) respectively. Unfortunately truth requires us to add that, of all the Romans of rank, not more than three—and these not including the legislators themselves—are said to have complied with these imposing laws; and in the case of these three it was the law of the Stoa, and not that of the state, that curtailed the bill of fare.

161. 115. 89. 81. 161. 81.

Silver plate.

It is worth while to dwell for a moment on the luxury that went on increasing in defiance of these laws, as respects silver plate. In the sixth century silver plate for the table was, with

the exception of the traditionary silver salt-dish, a rarity; the Carthaginian ambassadors jested over the circumstance, that at every house to which they were invited they had encountered the same silver plate (ii. 22). Scipio Aemilianus possessed not more than 32 pounds (£120) in wrought silver;
121. his nephew Quintus Fabius (consul in 633) first brought his plate up to 1000 pounds (£4000), Marcus Drusus (tribune of
91. the people in 663) reached 10,000 pounds (£40,000); in Sulla's time there were already counted in the capital about 150 silver state-dishes weighing 100 pounds each, several of which brought their possessors into the lists of proscription. To judge of the sums expended on these, we must recollect that the workmanship also was paid for at enormous rates; for instance, Gaius Gracchus paid for choice articles of silver
95. fifteen times, and Lucius Crassus, consul in 659, eighteen times the value of the metal, and the latter gave for a pair of cups by a noted silversmith 100,000 sesterces (£1000). So it was in proportion everywhere.

Marriage. How it fared with marriage and the rearing of children, is shown by the Gracchan agrarian laws, which first placed a premium thereon (p. 94). Divorce, formerly in Rome almost unheard of, was now a daily occurrence; while in the oldest Roman marriage the husband had purchased his wife, it might have been proposed to the Romans of quality in the present times that, with the view of bringing the name into accordance with the reality, they should introduce marriage for hire. Even a man like Metellus Macedonicus, who for his honourable domestic life and his numerous host of children
131. was the admiration of his contemporaries, when censor in 623 enforced the obligation of the burgesses to live in a state of matrimony by describing it as an oppressive public burden which patriots ought nevertheless to undertake from a sense of duty.*

Hellenism and its results. There were, certainly, exceptions. The society of the rural towns, and particularly the larger landholders, had preserved more faithfully the old honourable habits of the Latin nation. In the capital, however, the Catonian opposi-

* "If we could, citizens"—he said in his speech—"we should indeed all keep clear of this burden. But, as nature has so arranged it that we cannot either live comfortably with wives or live at all without them, it is proper to have regard rather to the permanent weal than to our own brief comfort."

tion had become a mere form of words; the modern tendency bore sovereign sway, and though individuals of firm and refined organization, such as Scipio Aemilianus, knew the art of combining Roman manners with Attic culture, Hellenism was among the great multitude synonymous with intellectual and moral corruption. We must never lose sight of the reaction exercised by these social evils on political life, if we would understand the Roman revolution. It was no matter of indifference, that of the two noblemen, who in 662 served 92.
as supreme masters of morals to the community, the one publicly reproached the other with having shed tears over the death of a *muraena* the pride of his fishpond, and the latter retaliated on the former that he had buried three wives and had shed tears over none of them. It was no matter of indifference, that in 593 an orator could make sport in the 161.
open Forum with the following description of a senatorial civil juryman, whom the time set for the cause finds amidst the circle of his boon-companions. "They play at hazard, delicately perfumed, surrounded by their mistresses. As the afternoon advances, they summon the servant and bid him make enquiries on the Comitium, what has occurred in the Forum, who has spoken in favour of or against the new project of law, what tribes have voted for and what against it. At length they go themselves to the judgment-seat, just early enough not to bring the process down on their own neck. On the way there is no opportunity in any retired alley which they do not avail themselves of, for they have gorged themselves with wine. Reluctantly they come to the tribunal and give audience to the parties. Those who are concerned bring forward their cause. The juryman orders the witnesses to come forward; he himself steps aside. When he returns, he declares that he has heard everything, and asks for the documents. He looks into the writings; he can hardly keep his eyes open for wine. When he thereupon withdraws to consider his sentence, he says to his boon-companions, 'What concern have I with these tiresome people? why should we not rather go to drink a cup of mulse mixed with Greek wine, and accompany it with a fat fieldfare and a good fish, a veritable pike from the Tiber island?'" Those who heard the orator laughed; but was it not a very serious matter, that such things were subjects for laughter?

CHAPTER XII.

NATIONALITY, RELIGION, AND EDUCATION.

Paramount ascendancy of Latinism and Hellenism.

In the great struggle of the nationalities throughout the wide range of the Roman empire, the secondary nations seem at this period on the wane or disappearing. The most important of them all, the Phoenician, received through the destruction of Carthage a mortal wound from which it slowly bled to death. The districts of Italy which had hitherto preserved their old language and manners, Etruria and Samnium, were not only visited by the heaviest blows of the Sullan reaction, but were compelled also by the political levelling of Italy to adopt the Latin language and customs in public intercourse, so that the old native languages were reduced to popular dialects which soon decayed. There no longer appears throughout the bounds of the Roman state any nationality entitled even to compete with the Roman and the Greek. On the other hand the Latin nationality was, as respected both the extent of its diffusion and the depth of its hold, in the most decided ascendant. As after the Social war any portion of Italian soil might belong to any Italian in full Roman ownership, and any god of an Italian temple might receive Roman gifts; as in all Italy with the exception of the region beyond the Po the Roman law thenceforth had exclusive authority, superseding all other civic and local laws; so the Roman language at that time became the universal language of business, and soon likewise the universal language of civilized intercourse, in the whole peninsula from the Alps to the Sicilian Straits. But it no longer restricted itself to these natural limits. The mass of capital accumulating in Italy, its copiousness of production, the intelligence of its agriculturists, the cleverness of its merchants, found no adequate scope in the

Latinism.

peninsula; these circumstances and the public service carried the Italians in great numbers to the provinces (p. 432). Their privileged position there rendered the Roman language and the Roman law privileged also, even where Romans were not merely transacting business with each other (p. 394). Everywhere the Italians kept together as compact and organized masses, the soldiers in their legions, the merchants of every larger town as special associations, the Roman burgesses domiciled or sojourning in the particular provincial assize-district as "circuits" (*conventus civium Romanorum*) with their own list of jurymen and in some measure with a communal constitution; and, though these provincial Romans ordinarily returned sooner or later to Italy, they nevertheless gradually laid the foundations of a settled population in the provinces, partly Roman, partly mixed, attaching itself to the Roman settlers. We have already mentioned that it was in Spain, where the Roman army first acquired a permanent character, that distinct provincial towns with Italian constitution were first organized—Carteia in 583 (p. 4), Valentia in 616 (p. 19), and at a later date Palma and Pollentia (p. 20). Although the interior was still far from civilized,—the territory of the Vaccaeans, for instance, being still mentioned long after this time as one of the rudest and most repulsive places of abode for the cultivated Italian—authors and inscriptions attest that as early as the middle of the seventh century the Latin language was in common use around New Carthage and elsewhere along the coast. Gracchus first distinctly developed the idea of colonizing, or in other words of Romanizing, the provinces of the Roman state by Italian emigration, and endeavoured to carry it out; and, although the conservative opposition resisted the bold project, destroyed for the most part the colonies first established, and prevented its continuation, yet the colony of Narbo was preserved intact, important even of itself as extending the range of the Latin tongue, and far more important still as the landmark of a great idea, the foundation-stone of a mighty structure to come. The ancient Gallicism, and in fact the modern French type of character, sprang out of that settlement, and are in their ultimate origin creations of Gaius Gracchus. But the Latin nationality not only filled the bounds of Italy

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and began to pass beyond them; it came also to acquire intrinsically a deeper intellectual basis. We find it in the course of creating a classical literature, and a higher instruction of its own; and, though in comparison with the Hellenic classics and Hellenic culture we may feel ourselves tempted to attach little value to the feeble hothouse products of Italy, yet, so far as its historical development was primarily concerned, the quality of the Latin classical literature and the Latin culture was of far less moment than the fact that they subsisted side by side with the Greek; and, sunken as were the contemporary Hellenes in a literary point of view, one might doubtless apply in this case also the saying of the poet, that the living day-labourer is better than the dead Achilles.

Hellenism. But, however rapidly and vigorously the Latin language and nationality gain ground, they at the same time recognise the Hellenic nationality as having an entirely equal, indeed an earlier and better title, and enter everywhere into the closest alliance with it or become intermingled with it in a joint development. The Italian revolution, which otherwise levelled all the non-Latin nationalities in the peninsula, did not disturb the Greek cities of Tarentum, Rhegium, Neapolis, Locri (p. 262). In like manner Massilia, although now enclosed by Roman territory, remained a Greek city and in that very capacity firmly connected with Rome. With the complete Latinizing of Italy an increased Hellenizing went hand in hand. In the higher circles of Italian society Greek training became an integral element of their native
131. culture. The consul of 623, the *pontifex maximus* Publius Crassus, excited the astonishment even of the native Greeks, when as governor of Asia he delivered his judicial decisions, as the case required, sometimes in ordinary Greek, sometimes in one of the four dialects which had become written languages. And if the Italian literature and art for long looked steadily towards the East, Hellenic literature and art now began to look towards the West. Not only did the Greek cities in Italy maintain a lively intellectual intercourse with Greece, Asia Minor, and Egypt, and confer on the Greek poets and actors who had acquired celebrity there the like recognition and the like honours among themselves; in Rome

also, after the example set by the destroyer of Corinth at his triumph in 608, the gymnastic and aesthetic recreations of the Greeks—competitions in wrestling as well as in music, acting, reciting, and declaiming—came into vogue.* Greek men of letters even thus early struck root in the noble society of Rome, especially in the Scipionic circle, the most prominent Greek members of which—the historian Polybius and the philosopher Panaetius—belong to the history of Roman rather than of Greek development. But even in other less illustrious circles similar relations occur; we may mention another contemporary of Scipio, the philosopher Clitomachus because his life at the same time presents a vivid view of the great intermingling of nations at this epoch. A native of Carthage, then a disciple of Carneades at Athens, and afterwards his successor in his professorship, Clitomachus held intercourse from Athens with the most cultivated men of Italy, the historian Aulus Albinus and the poet Lucilius, and dedicated on the one hand a scientific work to Lucius Censorinus the Roman consul who opened the siege of Carthage, and on the other hand a philosophic consolatory treatise to his fellow-citizens who were conveyed to Italy as slaves. While Greek literary men of note had hitherto taken up their abode temporarily in Rome as ambassadors, exiles, or otherwise, they now began to settle there; for instance, the already mentioned Panaetius lived in the house of Scipio, and the hexameter-maker Archias of Antioch settled at Rome in 652 and supported himself respectably by the art of improvising and by epic poems on Roman consulars. Even Gaius Marius, who hardly understood a line of his *carmen* and was altogether as ill adapted as possible for a Maecenas, could not avoid patronising the artist in verse. While intellectual and literary life thus brought the more distinguished, if not the purer, elements of the two nations into connection with each other, on the other hand the arrival of troops of slaves from Asia Minor and Syria and the mercantile immigration from the Greek and half-Greek East brought the

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* The statement that no "Greek games" were exhibited in Rome before 608 (Tac. *Ann.* xiv. 21) is not accurate: Greek artists (τεχνῖται) and athletes appeared as early as 568 (Liv. xxxix. 22), and Greek flute-players, tragedians, and pugilists in 587 (Pol. xxx. 13).

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coarsest strata of Hellenism—largely alloyed with Oriental and generally barbaric ingredients—into contact with the Italian proletariate, and gave to that also a Hellenic colouring. The remark of Cicero, that new phrases and new fashions first make their appearance in maritime towns, probably had a primary reference to the semi-Hellenic character of Ostia, Puteoli, and Brundisium, where with foreign wares foreign manners also first found admission and became thence more widely diffused.

Mixture of peoples.

The immediate result of this complete revolution in the relations of nationality was certainly far from pleasing. Italy swarmed with Greeks, Syrians, Phoenicians, Jews, Egyptians, while the provinces swarmed with Romans; sharply defined national peculiarities everywhere came into mutual contact, and were visibly worn off; it seemed as if nothing was to be left behind but the general impress of utilitarianism. What the Latin character gained in diffusion it lost in freshness; especially in Rome itself, where the middle class disappeared the soonest and most entirely, and nothing was left but the grandees and the beggars, both in an equal measure cosmopolitan. Cicero assures us
90. that about 660 the general culture in the Latin towns was higher than in Rome; and this is confirmed by the literature of this period, whose pleasantest, healthiest, and most characteristic products, such as the national comedy and the Lucilian satire, are with greater justice described as Latin, than as Roman. That the Italian Hellenism of the lower orders was in reality nothing but a repulsive cosmopolitanism tainted at once with all the extravagances of culture and with a superficially whitewashed barbarism, is self-evident; but even in the case of the better society the fine taste of the Scipionic circle did not remain the permanent standard. The more the mass of society began to take interest in Greek life, the more decidedly it resorted not to the classical literature, but to the most modern and frivolous productions of the Greek mind; instead of moulding the Roman character in the Hellenic spirit, they contented themselves with borrowing that sort of pastime which set their own intellect to work as little as possible. In this sense the Arpinate landlord Marcus Cicero, the father of the orator,

said that among the Romans, just as among Syrian slaves, each was the less worth, the more he understood Greek.

This national decomposition is, like the whole age, far from pleasing, but also like that age significant and momentous. The circle of peoples, which we are accustomed to call the ancient world, advances from an outward union under the authority of Rome to an inward union under the sway of the modern culture resting essentially on Hellenic elements. Over the ruins of peoples of the second rank the great historical compromise between the two ruling nations is silently completed; the Greek and Latin nationalities conclude mutual peace. The Greeks renounce their exclusiveness in the field of culture, the Romans in the field of politics; in instruction Latin is allowed to stand on a footing of equality—restricted, it is true, and imperfect—with Greek; on the other hand Sulla first allows foreign ambassadors to speak Greek before the Roman senate without an interpreter. The time heralds its approach, when the Roman commonwealth will pass into a bilingual state and the true heir of the throne and the ideas of Alexander the Great will arise in the West, at once a Roman and a Greek.

The suppression of the secondary, and the mutual interpenetration of the two primary nationalities, which are thus apparent on a general survey of national relations, now fall to be more precisely exhibited in detail in the several fields of religion, national education, literature, and art.

Religion.

The Roman religion was so intimately interwoven with the Roman commonwealth and the Roman household—so thoroughly in fact the pious reflection of the Roman burgess-world—that the political and social revolution necessarily overturned also the fabric of religion. The ancient Italian popular faith fell to the ground; over its ruins rose—like oligarchy and despotism rising over the ruins of the political commonwealth—on the one side unbelief, state-religion, Hellenism, and on the other side superstition, sectarianism, the religion of the Orientals. The germs certainly of both, as indeed the germs of the politico-social revolution also, may be traced back to the previous epoch (ii. 420–428). Even then the Hellenic culture of the higher circles was secretly

undermining their ancestral faith; Ennius introduced the allegorical and historical theories of the Hellenic religion into Italy; the senate, which subdued Hannibal, had to sanction the transference of the worship of Cybele from Asia Minor to Rome, and to take the most serious steps against other still worse superstitions, particularly the Bacchanalian scandal. But, as during the preceding period the revolution generally was rather preparing in men's minds than assuming outward expression, so the religious revolution was in substance, at any rate, the work only of the Gracchan and Sullan age.

Greek philosophy.

Let us endeavour first to trace the tendencies associated with Hellenism. The Hellenic nation, which bloomed and faded far earlier than the Italian, had long ago passed the epoch of faith and thenceforth moved exclusively in the sphere of speculation and reflection; for long there had been no religion there, and nothing but philosophy. But even the philosophic activity of the Hellenic mind had, when it began to exert influence on Rome, already left the epoch of productive speculation far behind it, and had arrived at the stage at which there is not only no origination of really new systems, but even the power of apprehending the more perfect of the older systems begins to wane and men restrict themselves to the repetition, soon passing into the scholastic tradition, of the less complete dogmas of their predecessors; at that stage, accordingly, when philosophy, instead of giving greater depth and freedom to the mind, rather renders it shallow and imposes on it the worst of all chains—chains of its own forging. The enchanted draught of speculation, always dangerous, is, when diluted and stale, certain poison. The contemporary Greeks presented it thus flat and diluted to the Romans, and these had not the judgment either to refuse it or to go back from the living schoolmasters to the dead masters. Plato and Aristotle, to say nothing of the sages before Socrates, remained without material influence on the Roman culture, although their illustrious names were freely employed, and their more easily understood writings were probably read and translated. Accordingly the Romans became in philosophy simply inferior scholars of bad teachers. Besides the historico-rationalistic view of religion, which resolved the myths into biographies of various

benefactors of the human race living in the grey dawn of early times whom superstition had transformed into gods, or Euhemerism as it was called (ii. 425), there were chiefly three philosophical schools that came to be of importance for Italy; viz. the two dogmatic schools of Epicurus (+ 484) and Zeno (+ 491) and the sceptical school of Arcesilaus (+ 513) and Carneades (541–625), or, to use the school-names, Epicureanism, the Stoa, and the newer Academy. The last of these schools, which started from the impossibility of assured knowledge and in its stead only conceded as possible a provisional opinion sufficient for practical requirements, presented mainly a polemical aspect, seeing that it caught every proposition of positive faith or of philosophic dogmatism in the meshes of its dilemmas. So far it stands nearly on a parallel with the earlier method of the sophists; except that, as might be expected, the sophists made war more against the popular faith, Carneades and his disciples more against their philosophical colleagues. On the other hand Epicurus and Zeno agreed both in their aim of rationally explaining the nature of things, and in their physiological method, which set out from the idea of matter. They diverged, in so far as Epicurus, following the atomic theory of Democritus, conceived the first principle as rigid matter, and evolved the manifoldness of things out of this matter merely by mechanical variations; whereas Zeno, forming his views after the Ephesian Heraclitus, introduces even into his primordial matter a dynamic antagonism and a movement of fluctuation up and down. From this are derived the further distinctions—that in the Epicurean system the gods as it were did not exist or were at the most a dream of dreams, while the Stoical gods formed the ever active soul of the world, and were as spirit, as sun, as God powerful over the body, the earth, and nature; that Epicurus did not, while Zeno did, recognize a government of the world and a personal immortality of the soul; that the proper object of human aspiration was according to Epicurus an absolute equilibrium disturbed neither by bodily desire nor by mental conflict, while it was according to Zeno a manly activity always increased by the constant antagonistic efforts of the mind and body, and striving after a harmony with nature

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perpetually in conflict and perpetually at peace. But in one point all these schools were agreed with reference to religion, that faith as such was nothing, and had necessarily to be supplemented by reflection—whether this reflection might consciously despair of attaining any result, as did the Academy; or might reject the conceptions of the popular faith, as did the school of Epicurus; or might partly retain them with explanation of the reasons for doing so, and partly modify them, as did the Stoics.

It was accordingly only natural, that the first contact of Hellenic philosophy with the Roman nation equally strong in faith and adverse to speculation should be of a thoroughly hostile character. The Roman religion was entirely right in disdaining alike the assaults and the theoretic support of these philosophical systems, both of which did away with its proper character. The Roman state, which instinctively felt itself assailed when religion was attacked, reasonably assumed towards the philosophers the attitude which a fortress assumes towards the spies of the army advancing to
161. besiege it, and as early as 593 dismissed the Greek philosophers along with the rhetoricians from Rome. In fact the very first *début* of philosophy on a great scale in Rome was a formal declaration of war against faith and morals. It was occasioned by the occupation of Oropus by the Athenians, a step which they commissioned three of the most esteemed professors of philosophy, including Carneades the master of the modern sophistical school, to justify before the senate
155. (599). The selection was so far appropriate, as the utterly scandalous transaction defied any justification in common sense; whereas it was quite in keeping with the circumstances of the case, when Carneades proved by thesis and counter-thesis that exactly as many and as cogent reasons might be adduced in praise of injustice as in praise of justice, and when he showed in due logical form that with equal propriety the Athenians might be required to surrender Oropus and the Romans to confine themselves once more to their old straw huts on the Palatine. The young men who were masters of the Greek language were attracted in crowds by the scandal as well as by the lively and emphatic delivery of the celebrated man; but on this

occasion at least Cato could not be found fault with, when he not only bluntly enough compared the dialectic arguments of the philosophers to the tedious dirges of the wailing-women, but also insisted on the senate dismissing a man who understood the art of making right wrong and wrong right, and whose defence was in fact nothing but a shameless and almost insulting confession of injustice. But such dismissals had no great effect, more especially as the Roman youth could not be prevented from hearing philosophic discourses at Rhodes and Athens. Men became accustomed first to tolerate philosophy at least as a necessary evil, and ere long to seek for the Roman religion, which was no longer tenable in its simplicity, a support in foreign philosophy—a support which no doubt ruined it as faith, but in return at any rate allowed the man of culture decorously to retain in some measure the names and forms of the popular creed. But this support could neither be Euhemerism, nor the system of Carneades or of Epicurus. The historical version of the myths came far too rudely into collision with the popular faith, when it declared the gods directly to be men; Carneades called even their existence in question, and Epicurus denied to them at least any influence on the fortunes of men. Between these systems and the Roman religion no alliance was possible; they were proscribed and remained so. Even in the writings of Cicero it is declared the duty of a citizen to resist Euhemerism as prejudicial to religious worship; and if the Academic and the Epicurean appear in his dialogues, the former has to plead the excuse that, while as a philosopher he is a disciple of Carneades, as a citizen and *pontifex* he is an orthodox confessor of the Capitoline Jupiter, and the Epicurean has even ultimately to surrender and be converted. No one of these three systems was in any proper sense popular. The plain intelligible character of Euhemerism exerted doubtless a certain power of attraction over the Romans, and in particular produced only too deep an effect on the conventional history of Rome with its at once childish and senile resolution of fable into history; but it remained without material influence on the Roman religion, because the latter from the first dealt only in allegory and not in fable, and it was not possible in Rome

as in Hellas to write biographies of Zeus the first, second, and third. The modern sophistry could only succeed where clever volubility was indigenous, as in Athens, and where, moreover, the long series of philosophical systems that had come and gone had accumulated huge piles of intellectual rubbish. Against the Epicurean quietism, in fine, everything revolted that was sound and honest in the Roman character, so thoroughly devoted to action. Yet it found more partisans than Euhemerism and the sophistic school, and this was probably the reason why the police continued to wage war against it longest and most seriously. But this Roman Epicureanism was not so much a philosophic system as a sort of philosophical mask, under which—very much against the design of its strictly moral founder—thoughtless sensual enjoyment dressed itself out for good society; one of the earliest adherents of this sect, for instance, Titus Albucius, figures in the poems of Lucilius as the prototype of the Roman Hellenizing to bad purpose.

Roman Stoa.

Far different were the position and influence of the Stoic philosophy in Italy. In direct contrast to these schools it attached itself to the religion of the land as closely as science can at all accommodate itself to faith. To the popular faith with its gods and oracles the Stoic adhered on principle, inasmuch as he recognized in it an instinctive knowledge to which scientific knowledge was bound to have regard, and even in doubtful cases to subordinate itself. He believed in a different way from the people rather than in different objects; the essentially true and supreme God was in his view doubtless the world-soul, but every manifestation of the primitive God was in its turn divine, the stars above all, but also the earth, the vine, the soul of the illustrious mortal whom the people honoured as a hero, and in fact every departed spirit of a former man. This philosophy was really better adapted for Rome than for the land where it first arose. The objection of the pious believer, that the god of the Stoic had neither sex nor age nor corporeality and was converted from a person into an idea, had a meaning in Greece, but not in Rome. The coarse allegorizing and moral purification, which were characteristic of the Stoical doctrine of the gods, destroyed the very marrow of the

Hellenic mythology; but the plastic power of the Romans, scanty even in their epoch of simplicity, had produced no more than a light veil enveloping the original intuition or the original notion out of which the divinity had arisen—a veil that might be stripped off without special damage. Pallas Athene might be indignant, when she found herself suddenly transmuted into the idea of memory: Minerva had hitherto been in reality not much more. The supernatural Stoic, and the allegoric Roman, theology coincided on the whole in their result. But, even if the philosopher was obliged to designate individual propositions of the priestly lore as doubtful or as erroneous—as when the Stoics, for example, rejecting the doctrine of apotheosis, saw in Hercules, Castor and Pollux nothing but the spirits of distinguished men, or as when they could not allow the images of the gods to be regarded as representations of divinity—it was at least not the habit of the adherents of Zeno to make war on these erroneous doctrines and to overthrow the false gods; on the contrary, they everywhere evinced respect and reverence for the religion of the land even in its weaknesses. The inclination also of the Stoa towards a casuistic morality and towards a systematic treatment of the professional sciences was quite to the mind of the Romans, especially of the Romans of this period, who no longer like their fathers practised in unsophisticated fashion self-government and good morals, but resolved the simple morality of their ancestors into a catechism of allowable and non-allowable actions; whose grammar and jurisprudence, moreover, urgently required a methodical treatment, without possessing the ability to develop such a treatment of themselves. So this philosophy thoroughly incorporated itself, as a plant borrowed no doubt from abroad but acclimatized in Italian soil, with the Roman national economy, and we meet its traces in the most diversified spheres of action. Its earliest appearance beyond doubt goes further back; but the Stoa was first raised to full influence in the higher ranks of Roman society by means of the group which gathered round Scipio Aemilianus. Panaetius of Rhodes, the instructor of Scipio and of all Scipio's intimate friends in the Stoical philosophy, who was constantly in his train and usually attended him even

on journeys, knew how to adapt the system to clever men of the world, to keep its speculative side in the background, and to modify in some measure the dryness of the terminology and the insipidity of its moral catechism, more particularly by the aid of the earlier philosophers, among whom Scipio himself had an especial predilection for the Socrates of Xenophon. Thenceforth the most noted statesmen and scholars professed the Stoic philosophy—among others Stilo and Quintus Scaevola, the founders of scientific philology and of scientific jurisprudence. The scholastic formality of system, which thenceforth prevails at least externally in these professional sciences and is especially associated with a fanciful, charade-like, insipid method of etymologizing, descends from the Stoa. But infinitely more important was the new state-philosophy and state-religion, which emanated from the blending of the Stoic philosophy and the Roman religion. The speculative element, from the first impressed with but little energy on the system of Zeno, and still further weakened when that system found admission to Rome—after the Greek schoolmasters had already for a century been busied in driving this philosophy into boys' heads and thereby driving the spirit out of it—fell completely into the shade in Rome, where nobody speculated but the money-changers: little more was said as to the ideal development of the God ruling in the soul of man, or of the divine law of the world. The Stoical philosophers showed themselves not insensible to the very lucrative distinction of seeing their system raised into the semi-official Roman state-philosophy, and proved altogether more pliant than from their rigorous principles we should have expected. Their doctrine as to the gods and the state soon exhibited a singular family resemblance to the actual institutions of those who nourished them: instead of illustrating the cosmopolitan state of the philosopher, they made their meditations turn on the wise arrangement of the Roman magistracies; and while the more refined Stoics such as Panaetius had left the question of divine revelation by wonders and signs open as a thing conceivable but uncertain and had decidedly rejected astrology, his immediate successors contended for that doctrine of revelation or, in

other words, for the Roman augural discipline as rigidly and firmly as for any other maxim of the school and made extremely unphilosophical concessions even to astrology. The leading feature of the system came more and more to be its casuistic doctrine of duty. It suited itself to the hollow pride of virtue, in which the Romans of this period sought their compensation amidst the various humbling circumstances of their contact with the Greeks; and it put into formal shape a befitting doctrine of morality, which, like every well-bred system of morals, combined with the most rigid precision as a whole the most complaisant indulgence in the details.* Its practical results can hardly be estimated as much more than that, as we have said, two or three families of rank ate poor fare to please the Stoa.

State religion.

Closely allied to this new state-philosophy—or, strictly speaking, its other side—was the new state-religion; the essential characteristic of which was the conscious retention of the principles of the popular faith, which were recognized as irrational, for reasons of outward convenience. One of the most prominent men of the Scipionic circle, the Greek Polybius, candidly declares that the strange and ponderous ceremonial of Roman religion was invented solely on account of the multitude, which, as reason had no power over it, required to be ruled by signs and wonders, while people of intelligence had certainly no need of religion. Beyond doubt Polybius' Roman friends substantially shared these sentiments, although they did not oppose science and religion to each other in so gross and downright a fashion. Neither Laelius nor Scipio Aemilianus can have looked on the augural discipline, which Polybius has primarily in view, as anything else than a political institution; yet the national spirit in them was too strong and their sense of decorum too delicate to have permitted their coming forward in public with such dangerous explanations. But even in the following generation the *pontifex maximus* Quintus Scaevola (consul in 659; pp. 243, 354) set forth at least in his oral instructions in law without hesitation the propositions, that there were two sorts of religion—one philosophic, adapted to

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* A delightful specimen may be found in Cicero *de Officiis*, iii. 12, 13.

the intellect, and one traditional, not so adapted; that the former was not fitted for the religion of the state, as it contained various things which it was useless or even injurious for the people to know; and that accordingly the traditional religion of the state ought to remain as it stood. The theology of Varro, in which the Roman religion is treated throughout as a state institution, is merely a further development of the same principle. The state, according to his teaching, was older than the gods of the state as the painter is older than the picture; if the question related to making the gods anew, it would certainly be well to make and to name them after a manner more befitting and more in theoretic accordance with the parts of the world-soul, and to lay aside the images of the gods which only excited erroneous ideas,* and the mistaken system of sacrifice; but, since these institutions had been once established, every good citizen ought to own and follow them and do his part, that the "common man" might learn rather to set a higher value on, than to contemn, the gods. That the common man, for whose benefit the grandees thus surrendered their judgment, now despised this faith and sought his remedy elsewhere, was a matter of course and will be seen in the sequel. Thus then the Roman "high church" was ready, a sanctimonious body of priests and Levites, and an unbelieving people. The more openly the religion of the land was declared a political institution, the more decidedly the political parties regarded the field of the state-church as an arena for attack and defence; which was especially, in a daily increasing measure, the case with augural science and with the elections to the priestly colleges. The old and natural practice of dismissing the burgess-assembly, when a thunder-storm came on, had in the hands of the Roman augurs grown into a prolix system of various celestial omens and rules of conduct associated therewith; in the earlier portion of this period it was even directly enacted by the Aelian and Fufian law, that every popular assembly should be compelled to disperse if it should occur to any of the

* In Varro's satire, "The Aborigines," he sarcastically set forth how the primitive men had not been content with the God who alone is recognised by thought, but had longed after puppets and effigies.

higher magistrates to look for signs of a thunder-storm in the sky; and the Roman oligarchy was proud of the cunning device which enabled them thenceforth by a single pious fraud to impress the stamp of invalidity on any decree of the people. Conversely, the Roman opposition rebelled against the ancient practice under which the four principal colleges of priests filled up their own ranks when vacancies arose, and demanded the extension of popular election to the stalls themselves, as it had been previously introduced with reference to the presidents of these colleges (ii. 379). This was certainly inconsistent with the spirit of these corporations; but they had no right to complain of it, after they had become themselves untrue to their spirit, and had played into the hands of the government at its request by furnishing religious pretexts for the annulling of political proceedings. This affair became an apple of contention between the parties: the senate beat off the first attack in 609, on which occasion the Scipionic circle especially turned 145.
the scale for the rejection of the proposal; on the other hand the project passed in 650 with the proviso already 104.
made in reference to the election of the presidents for the benefit of scrupulous consciences, that not the whole burgesses but only the lesser half of the tribes should make the election (p. 214); finally Sulla restored the right of co-optation in its full extent (p. 381). With this care on the part of the conservatives for the pure national religion, it was of course quite compatible that the circles of the highest rank should openly make a jest of it. The practical side of the Roman priesthood was the priestly *cuisine*: the augural and pontifical banquets were as it were the official gala-days in the life of a Roman epicure, and several of them formed epochs in the history of gastronomy: the banquet on the accession of the augur Quintus Hortensius for instance brought roast peacocks into vogue. Religion was also found very useful in giving greater zest to scandal. It was a favourite recreation of the youth of quality to disfigure or mutilate the images of the gods in the streets by night (p. 228). Ordinary love affairs had for long been common, and intrigues with married women began to become so; but an amour with a Vestal virgin was as piquant as

the intrigues with nuns and the cloister-adventures in the
114. world of the Decamerone. The scandalous affair of 640 *seq.* is well known, in which three Vestals, daughters of the noblest families, and their paramours, young men likewise of the best houses, were brought to trial for unchastity first before the pontifical college, and then, when it sought to hush up the matter, before an extraordinary court instituted by special decree of the people, and were all condemned to death. Such scandals, it is true, sedate people could not approve; but there was no objection to men discussing the folly of positive religion in their familiar circle; the augurs might, when one saw another performing his functions, smile in each other's face without detriment to their religious duties. We learn to look favourably on the modest hypocrisy of kindred tendencies, when we compare with it the coarse shamelessness of the Roman priests and Levites. The official religion was quite candidly treated as a hollow framework, now serviceable only for political machinists; in this respect with its numerous recesses and trap-doors it might and did serve either party, as it happened. Most of all certainly the oligarchy recognized its palladium in the state-religion, and particularly in the augural discipline; but the opposite party also made no resistance in point of principle to an institute which had now merely a semblance of life; they regarded it, on the contrary, as a bulwark which might pass from the possession of the enemy into their own.

Oriental religions in Italy.

In sharp contrast to this ghost of religion which we have just described stand the different foreign worships, which this epoch cherished and fostered, and which were at least undeniably possessed of a very decided vitality. They meet us everywhere, among fashionable ladies and lords as well as among the circles of the slaves, in the general as in the trooper, in Italy as in the provinces. It is incredible to what a height this superstition already reached. When in the Cimbrian war a Syrian prophetess, Martha, offered to furnish the senate with ways and means for the vanquishing of the Germans, the senate dismissed her with contempt; nevertheless the Roman ladies and Marius' own wife in particular despatched her to his head-quarters, where the

general readily received her and carried her about with him till the Teutones were defeated. The leaders of very different parties in the civil war, Marius, Octavius, Sulla, coincided in believing omens and oracles. During its course even the senate was under the necessity, in the troubles of 667, of 87.
consenting to issue directions in accordance with the fancies of a crazy prophetess. It is significant of the ossification of the Romano-Hellenic religion as well as of the increasing craving of the multitude after stronger religious stimulants, that superstition no longer, as in the Bacchic mysteries, associates itself with the national religion; even the Etruscan mysticism is already left behind; the worships matured in the sultry regions of the East appear throughout in the foremost rank. The copious introduction of elements from Asia Minor and Syria into the population, partly by the importation of slaves, partly by the augmented traffic of Italy with the East, contributed very greatly to this result. The power of these foreign religions is very distinctly apparent in the revolts of the Sicilian slaves, who for the most part were natives of Syria. Eunus vomited fire, Athenion read the stars; the plummets thrown by the slaves in these wars bear in great part the names of gods, those of Zeus and Artemis, and especially that of the mysterious Mother who had migrated from Crete to Sicily and was zealously worshipped there. A similar effect was produced by commercial intercourse, particularly after the wares of Berytus and Alexandria were conveyed directly to the Italian ports; Ostia and Puteoli became the great marts not only for Syrian unguents and Egyptian linen, but also for the faith of the East. Everywhere the mingling of religions was constantly on the increase along with the mingling of nations. Of all allowed worships the most popular was that of the Pessinuntine Mother of the Gods, which made a deep impression on the multitude by its eunuch-celibacy, its banquets, its music, its begging processions, and all its sensuous pomp; the collections from house to house were already felt as an economic burden. In the most dangerous time of the Cimbrian war Battaces the high-priest of Pessinus appeared in person at Rome, in order to defend the interests of the temple of his goddess there which was alleged to have been

profaned, addressed the Roman people by the special orders of the Mother of the Gods, and performed also various miracles. Men of sense were scandalized, but the women and the great multitude were not to be debarred from escorting the prophet at his departure in great crowds. Vows of pilgrimage to the East were already no longer uncommon; Marius himself, for instance, thus undertook a pilgrimage to Pessinus; in fact even thus early (first in
101. 653) Roman burgesses devoted themselves to the eunuch-priesthood. But the unallowed and secret worships were naturally still more popular. As early as Cato's time the Chaldean horoscope-caster had begun to come into competition with the Etruscan *haruspex* and the Marsian bird-seer (ii. 428); star-gazing and astrology were soon as much at
139. home in Italy as in their dreamy native land. In 615 the Roman *praetor peregrinus* directed all the Chaldeans to evacuate Rome and Italy within ten days. The same fate at the same time befel the Jews, who had admitted Italian proselytes to their sabbath. In like manner Scipio had to clear the camp before Numantia from soothsayers and pious im-
97. postors of every sort. Some forty years afterwards (657) it was even found necessary to prohibit human sacrifices. The wild worship of the Cappadocian Ma, or, as the Romans called her, Bellona, to whom the priests in their festal processions shed their own blood as a sacrifice, and the gloomy Egyptian worships began to make their appearance; the former Cappadocian goddess appeared in a dream to Sulla, and of the later Roman communities of Isis and Osiris the oldest traced their origin to the Sullan period. Men had become perplexed not merely as to the old faith, but as to their very selves; the fearful crises of a fifty years' revolution, the instinctive feeling that the civil war was still far from being at an end, increased the anxious suspense, the gloomy perplexity of the multitude. Restlessly the wandering imagination climbed every height and fathomed every abyss, where it fancied that it might discover new prospects or new light amidst the fatalities impending, might gain fresh hopes in the desperate struggle against destiny, or perhaps might find merely fresh alarms. A portentous mysticism found in the general distraction—political, economic, moral, religious

—the soil which was adapted for it, and grew with alarming rapidity; it was as if gigantic trees had grown by night out of the earth, none knew whence or whither, and this very marvellous rapidity of growth worked new wonders and seized like an epidemic on all minds not thoroughly fortified.

Education.

Just as in the sphere of religion, the revolution begun in the previous epoch was now completed also in the sphere of education and culture. We have already shown how the fundamental idea of the Roman system—civil equality—had already during the sixth century begun to be undermined in this field also. Even in the time of Pictor and Cato Greek culture was widely diffused in Rome, and there was a native Roman culture; but neither of them had then got beyond the initial stage. Cato's encyclopaedia shows tolerably what was understood at this period by a Romano-Greek model training (ii. 495); it was little more than an embodiment of the old Roman household knowledge, and truly, when compared with the Hellenic culture of the period, scanty enough. At how low a stage the average instruction of youth in Rome still stood at the beginning of the seventh century, may be inferred from the expressions of Polybius, who in this one respect prominently censures the criminal indifference of the Romans as compared with the intelligent private and public care of his countrymen; no Hellene, not even Polybius himself, could rightly understand the deeper idea of civil equality that lay at the root of this indifference.

Now the case was altered. Just as the naïve popular faith was superseded by an enlightened Stoical supernaturalism, so in education alongside of the simple popular instruction a special training, an exclusive *humanitas*, developed itself and eradicated the last remnants of the old social equality. It will not be superfluous to cast a glance at the aspect assumed by the new instruction of the young, both the Greek and the higher Latin.

Greek instruction.

It was a singular circumstance that the same man, who in a political point of view definitively vanquished the Hellenic nation, Lucius Aemilius Paullus, was at the same time the first or one of the first who fully recognized the Hellenic civilization as—what it has thenceforth continued

to be beyond dispute—the civilization of the ancient world. He was himself indeed an old man before it was granted to him, with the Homeric poems in his mind, to stand before the Zeus of Phidias; but his heart was young enough to carry home the full sunshine of Hellenic beauty and the unconquerable longing after the golden apples of the Hesperides in his soul; poets and artists had found in the foreigner a more earnest and cordial devotee than was any of the wise men of the Greece of those days. He made no epigram on Homer or Phidias, but he had his children introduced into the realms of intellect. Without neglecting their national education, so far as there was such, he made provision like the Greeks for the physical development of his boys, not indeed by gymnastic exercises which were according to Roman notions inadmissible, but by instruction in the chase, which was among the Greeks developed almost like an art; and he elevated their Greek instruction in such a way that the language was no longer merely learned and practised for the sake of speaking, but after the Greek fashion the whole subject-matter of general higher culture was associated with the language and developed out of it—embracing, first of all, the knowledge of Greek literature with the mythological and historical information necessary for understanding it, and then rhetoric and philosophy. The library of king Perseus was the only portion of the Macedonian spoil that Paullus took for himself, with the view of presenting it to his sons. Even Greek painters and sculptors were found in his train and completed the aesthetic training of his children. That the time was past when men could in this field preserve a merely negative attitude as regarded Hellenism, had been felt even by Cato; the better classes had probably now a presentiment that the noble substance of Roman character was less endangered by Hellenism as a whole, than by Hellenism mutilated and misshapen: the mass of the upper society of Rome and Italy went along with the new mode. There had been for long no want of Greek schoolmasters in Rome: now they arrived in troops—and as teachers not merely of the language but of literature and culture in general—at the newly-opened lucrative market for the sale of their wisdom. Greek tutors and teachers of philosophy, who, even if they

were not slaves, were as a rule accounted as servants,* were now permanent inmates in the palaces of Rome; people speculated in them, and there is a statement that 200,000 sesterces (£2000) were paid for a Greek literary slave of the first rank. As early as 593 there existed in the capital a 161.
number of special establishments for the practice of Greek declamation. Several distinguished names already occur among these Roman teachers; the philosopher Panaetius has been already mentioned (p. 454); the esteemed grammarian Crates of Mallus in Cilicia, the contemporary and equal rival of Aristarchus, found about 585 at Rome an audience for the 169.
recitation and philological and practical illustration of the Homeric poems. It is true that this new mode of juvenile instruction, revolutionary and anti-national as it was, encountered partially the resistance of the government; but the edict of dismissal, which the authorities in 593 fulminated against rhetoricians and philosophers, remained (chiefly owing to the constant change of the Roman chief magistrates) like all similar commands without any result worth mentioning, and after the death of old Cato there were still doubtless frequent complaints in accordance with his views, but there was no further action. The higher instruction in Greek and in the sciences of Greek culture remained thenceforth recognized as an essential part of Italian training. 161.

But by its side there sprang up also a higher Latin instruction. We have shown in the previous epoch how Latin elementary instruction raised its character; how the place of the Twelve Tables was taken by the Latin Odyssey as a sort of improved primer, and the Roman boy was now trained to the knowledge and delivery of his mother-tongue by means of this translation, as the Greek by means of the original: how noted teachers of the Greek language and literature, Andronicus, Ennius, and others, who already probably taught not children properly so called, but boys growing up to maturity and young men, did not disdain to give instruction in the mother-tongue along with the Greek. These were the first Latin instruction.

* Cicero says that he treated his learned slave Dionysius more respectfully than Scipio treated Panaetius, and in the same sense it is said in Lucilius—

Penula, si quaeris, canteriu', servu', segestre
Utilior mihi, quam sapiens.

steps towards a higher Latin instruction, but they did not as yet form such an instruction itself. Instruction in a language cannot go beyond the elementary stage, so long as it wants a literature. It was not until there were not merely Latin schoolbooks but a Latin literature, and this literature subsisted with a certain completeness in the works of the classics of the sixth century, that the mother-tongue and the native literature truly entered the circles of the elements of higher culture; and the emancipation from the Greek schoolmasters was now not slow to follow. Stirred up by the Homeric prelections of Crates, cultivated Romans began to read the recitative works of their own literature, the Punic War of Nævius, the Annals of Ennius, and subsequently also the Poems of Lucilius first to a select circle, and then in public on set days and in presence of a great concourse, and occasionally also to treat them critically after the precedent of the Homeric grammarians. These literary prelections, which cultivated *dilettanti* (*litterati*) held gratuitously, were not formally a part of juvenile instruction, but were yet an essential means of introducing the youth to the understanding and the delivery of the classic Latin literature.

Public readings of classical works.

Rhetorical exercises.

The formation of Latin oratory took place in a similar way. The Roman youth of rank, who were even at an early age instigated to come forward in public with panegyrics and forensic speeches, can never have wanted exercises in oratory; but it was only at this epoch, and in consequence of the new exclusive culture, that there arose a rhetoric properly so called. Marcus Lepidus Porcina (consul in 617) is mentioned as the first Roman advocate who technically handled the language and subject-matter; the two famous advocates of the Marian age, the masculine and vigorous Marcus Antonius (611–667) and the polished and chaste orator Lucius Crassus (614–663) were already complete rhetoricians. The exercises of the young men in speaking increased naturally in extent and importance, but still remained, just like the exercises in Latin literature, essentially limited to the personal attendance of the beginner on the master of the art so as to be trained by his example and his instructions.

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113–87.

110–91.

Formal instruction both in Latin literature and in Latin rhetoric was given first about 650 by Lucius Aelius Prae-

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cominus of Lanuvium, called the "penman" (*Stilo*), a distinguished Roman knight of strict conservative views, who read Plautus and similar works with a select circle of younger men—including Varro and Cicero—and sometimes also went over outlines of speeches with the authors, or put similar outlines into the hands of his friends. This was a real instruction. Stilo however was not a professional schoolmaster, but he taught literature and rhetoric, just as jurisprudence was taught at Rome, in the character of a senior friend of aspiring young men, not of a man hiring out his services and at every one's command.

Course of literature and rhetoric.

But about his time began also the scholastic higher instruction in Latin, separated both from elementary Latin and from Greek instruction, and imparted in special establishments by paid masters, ordinarily manumitted slaves. That its spirit and method were throughout borrowed from the exercises in the Greek literature and language, was a matter of course; and the scholars also consisted, as at these exercises, of youths, and not of boys. This Latin instruction was soon divided like the Greek into two courses; in so far as the Latin literature was first scientifically prelected on, and then a technical introduction was given to the preparation of panegyrics, public, and forensic orations. The first Roman school of literature was opened about Stilo's time by Marcus Saevius Nicanor Postumus, the first separate school for Latin rhetoric about 660 by Lucius Plotius 90.
Gallus; but ordinarily instructions in rhetoric were also given in the Latin schools of literature. This new Latin school-instruction was of the most comprehensive importance. The introduction to the knowledge of Latin literature and Latin oratory, such as had formerly been imparted by connoisseurs and masters of high position, had preserved a certain independence in relation to the Greeks. The critics of language and the masters of oratory were doubtless under the influence of Hellenism, but not absolutely under that of the Greek school-grammar and school-rhetoric; the latter in particular was decidedly an object of dread. The pride as well as the sound common sense of the Romans revolted against the Greek assertion that the ability to speak of things, which the orator understood and felt, intelligibly and attrac-

tively to his peers in the mother-tongue could be learned in the school by school-rules. To the solid practical advocate the procedure of the Greek rhetoricians, so totally estranged from life, could not but appear worse for the beginner than no preparation at all; to the man of thorough culture and matured experience the Greek rhetoric seemed shallow and repulsive; while the man of serious conservative views did not fail to observe the close affinity between a professionally developed rhetoric and the trade of the demagogue. Accordingly the Scipionic circle had shown the most bitter hostility to the rhetoricians, and, if Greek declamations before paid masters were tolerated primarily perhaps as exercises in speaking Greek, Greek rhetoric did not thereby find its way either into Latin oratory or into Latin oratorical instruction. But in the new Latin rhetorical schools the Roman youths were trained as men and public orators by discussing in pairs rhetorical themes; they accused Ulysses, who was found beside the corpse of Ajax with the latter's bloody sword, of the murder of his comrade in arms, or upheld his innocence; they charged Orestes with the murder of his mother, or undertook to defend him; or perhaps they helped Hannibal with a supplementary good advice as to the question whether he would do better to comply with the invitation to Rome, or to remain in Carthage, or to take flight. It was natural that the Catonian opposition should once more bestir itself against these offensive and pernicious conflicts of words.

92. The censors of 662 issued a warning to teachers and parents not to allow the young men to spend the whole day in exercises, whereof their ancestors had known nothing; and the man, from whom this warning came, was no less than the first forensic orator of his age, Lucius Licinius Crassus. Of course the Cassandra spoke in vain; declamatory exercises in Latin on the current themes of the Greek schools became a permanent ingredient in the education of Roman youth, and contributed their part to educate the very boys as forensic and political players and to stifle in the bud all earnest and true eloquence.

As the aggregate result of this modern Roman education there sprang up the new idea of "humanity," as it was called, which consisted partly of a more or less superficial

appropriation of the aesthetic culture of the Hellenes, partly of a privileged Latin culture as an imitation or mutilated copy of the Greek. This new humanity, as the very name indicates, renounced the specific peculiarities of Roman life, nay even came forward in opposition to them, and combined in itself, just like our closely kindred "general culture," a nationally cosmopolitan and socially exclusive character. Here too we trace the revolution, which separated classes and levelled nations.

CHAPTER XIII.

LITERATURE AND ART.

Literary reaction.

The sixth century was, both in a political and a literary point of view, a vigorous and great age. It is true that we do not find in the field of authorship any more than in that of politics a man of the first rank; Naevius, Ennius, Plautus, Cato, gifted and lively authors of distinctly-marked individuality, were not in the highest sense men of creative talent; nevertheless we perceive in the soaring, stirring, bold strain of their dramatic, epic, and historic attempts, that these are based on the gigantic struggles of the Punic wars. Much is only artificially transplanted, there are various faults in delineation and colouring, the form of art and the language are deficient in purity of treatment, Greek and national elements are quaintly conjoined; the whole performance betrays the stamp of its scholastic origin and wants independence and completeness; yet there exists in the poets and authors of that age, if not the full power to reach their high aim, at any rate the courage to compete with and the hope of rivalling the Greeks. It is otherwise in the epoch before us. The morning mists fell; what had been begun in the fresh feeling of the national strength hardened in war, with youthful want of insight into the difficulty of the undertaking and into the measure of their own talent, but also with youthful delight in and love to the work, could not be carried farther now, when on the one hand the dull sultriness of the approaching revolutionary storm began to fill the air, and on the other hand the eyes of the more intelligent were gradually opened to the incomparable glory of Greek poetry and art and to the very moderate artistic endowments of their own nation. The literature of the sixth century had arisen from the influence of Greek art on half cultivated, but excited and susceptible minds. The increased Hellenic culture of the seventh called

forth a literary reaction, which destroyed the germs of promise contained in those simple imitative attempts by the winter-frost of reflection, and rooted up the wheat and the tares of the older type of literature together.

Scipionic circle.

This reaction proceeded primarily and chiefly from the circle which assembled around Scipio Aemilianus, and whose most prominent members among the Roman world of quality were, in addition to Scipio himself, his elder friend and counsellor Gaius Laelius (consul in 614) and Scipio's younger companions, Lucius Furius Philus (consul in 618) and Spurius Mummius, the brother of the destroyer of Corinth, among the Roman and Greek literati the comedian Terence, the satirist Lucilius, the historian Polybius, and the philosopher Panaetius. Those who were familiar with the Iliad, with Xenophon, and with Menander, could not be greatly impressed by the Roman Homer, and still less by the bad translations of the tragedies of Euripides which Ennius had furnished and Pacuvius continued to furnish. While patriotic considerations might set bounds to criticism in reference to the native chronicles, Lucilius at any rate directed very pointed shafts against "the dismal figures from the complicated expositions of Pacuvius;" and similar severe, but not unjust criticisms of Ennius, Plautus, Pacuvius—all those poets "who appeared to have a licence to talk pompously and to reason illogically" —are found in the polished author of the Rhetoric dedicated to Herennius, written at the close of this period. People shrugged their shoulders at the interpolations, with which the homely popular wit of Rome had garnished the elegant comedies of Philemon and Diphilus. Half smiling, half envious, they turned away from the inadequate attempts of a dull age, which that circle probably regarded somewhat as a mature man regards the poetical effusions of his youth; despairing of the transplantation of the marvellous tree, they allowed the higher species of art in poetry and prose substantially to fall into abeyance, and restricted themselves in these departments to an intelligent enjoyment of foreign master-pieces. The productiveness of this epoch displayed itself chiefly in the subordinate fields of the lighter comedy, the poetical miscellany, the political pamphlet, and the professional sciences. The literary cue was correctness, in the

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style of art and especially in the language, which, as a more limited circle of persons of culture became separated from the body of the people, was in its turn divided into the classical Latin of higher society and the vulgar Latin of the common people. The prologues of Terence promise "pure Latin;" warfare against faults of language forms a chief element of the Lucilian satire; and with this circumstance is connected the fact, that composition in Greek among the Romans now falls decidedly into the shade. In so far certainly there is an improvement; inadequate efforts occur in this epoch far less frequently; performances in their kind complete and thoroughly pleasing occur far oftener than before or afterwards; in a linguistic point of view Cicero calls the age of Laelius and Scipio the golden age of pure unadulterated Latin. In like manner literary activity gradually rises in public opinion from a trade to an art. At the beginning of this period the preparation of theatrical pieces at any rate, if not the publication of recitative poems, was still regarded as not becoming for the Roman of quality; Pacuvius and Terence lived by their pieces; the writing of dramas was entirely a trade, and not one of golden produce. About the time of Sulla the state of matters had entirely changed. The remuneration given to actors at this time proves that even the favourite dramatic poet could then claim a payment, the high amount of which removed its stigma. By this means composing for the stage was raised into a liberal art; and we accordingly find men of the highest aristocratic
90. 87. circles, such as Lucius Caesar (aedile in 664, + 667), engaged in writing for the Roman stage and proud of sitting in the Roman "poet's club" by the side of the ancestorless Accius. Art finds increased sympathy and honour; but the enthusiasm has departed in life and in literature. The fearless self-confidence, which makes the poet a poet, and which is very decidedly apparent in Plautus especially, is found in none of those that follow; the Epigoni of the men that fought with Hannibal are correct, but feeble.

Tragedy. Let us first glance at the Roman dramatic literature and the stage itself. Tragedy has now for the first time her special representatives; the tragic poets of this epoch do not, like those of the preceding, cultivate comedy and epos also.

The appreciation of this branch of art among the writing and reading circles was evidently on the increase, but tragic poetry itself hardly improved. We now meet with the national tragedy (*praetexta*), the creation of Naevius, only in the hands of Pacuvius to be mentioned immediately—an after-growth of the Ennian epoch. Among the probably numerous poets who imitated Greek tragedies two alone acquired distinction. Marcus Pacuvius from Brundisium (535—*c.* 625) who in his earlier years earned his livelihood in Rome by painting and only composed tragedies when advanced in life, belongs as respects both his years and his style to the sixth rather than the seventh century, although his poetical activity falls within the latter. He composed on the whole after the manner of his countryman, uncle, and master Ennius. Polishing more carefully and aspiring to a higher strain than his predecessor, he was regarded by favourable critics of art afterwards as a model of artistic poetry and of rich style: in the fragments, however, that have reached us proofs are not wanting to justify Cicero's censure of the poet's language and Lucilius' censure of his taste; his language appears more rugged than that of his predecessor, his style of composition pompous and punctilious.* There are traces that he like Ennius attached more value to philosophy than to religion; but he did not at any rate, like the latter, prefer dramas chiming in with neological views and preaching sensual passion or modern enlightenment, and drew without distinction from Sophocles or from Euripides; of that poetry with a decided special aim, which almost stamps Ennius with genius, there can have been no vein in the younger poet.

Pacuvius. 219–129.

* Thus in the *Paulus*, an original piece, the following line occurred, probably in the description of the pass of Pythium (ii. 319):—

Qua vix. caprigeno géneri gradilis grédssio est.

And in another piece the hearers are expected to understand the following description—

Quadrupes tardigrada agrestis humilis aspera,
Capite brevi, cervice anguina, aspectu truci,
Eviscerata inanima cum animali sono.

To which they naturally reply—

Ita saeptuosa dictione abs te datur,
Quod conjectura sapiens aegre contuit;
Non intelligimus, nisi si aperte dixeris.

Then follows the confession that the tortoise is referred to. Such enigmas, moreover, were not wanting even among the Attic tragedians, who on that account were often and sharply taken to task by the Middle Comedy.

Accius. More readable and adroit imitations of Greek tragedy were furnished by Pacuvius' younger contemporary, Lucius Accius,
170-103. son of a freedman of Pisaurum (584—after 651), with the exception of Pacuvius the only notable tragic poet of the seventh century. An active author also in the field of literary history and grammar, he doubtless laboured to introduce instead of the crude manner of his predecessors greater purity of language and style into Latin tragedy; yet his inequality and incorrectness were emphatically censured by men of strict observance like Lucilius.

Greek comedy. Far greater activity and far more important results are apparent in the field of comedy. At the very commencement of this period a remarkable reaction set in against the sort of
Terence. comedy hitherto prevalent and popular. Its representative
196-159. Terentius (558-595) is one of the most interesting phenomena, in a historical point of view, in Roman literature. Born in Phoenician Africa, brought in early youth as a slave to Rome and there initiated into the Greek culture of the day, he seemed from the very first destined for the vocation of restoring to the new Attic comedy that cosmopolitan character, which in its adaptation to the Roman public under the rough hands of Naevius, Plautus, and their associates it had in some measure lost. Even in the selection and employment of models the contrast is apparent between him and that predecessor whom alone we can now compare with him. Plautus chooses his pieces from the whole range of the newer Attic comedy, and by no means disdains the livelier and more popular comedians, such as Philemon; Terence keeps almost exclusively to Menander, the most elegant, polished, and chaste of all the poets of the newer comedy. The method of working up several Greek pieces into one Latin is retained by Terence, because in fact from the state of the case it could not be avoided by the Roman editors; but it is handled with incomparably more skill and carefulness. The Plautine dialogue beyond doubt departed very frequently from its models; Terence boasts of the verbal adherence of his imitations to the originals, by which however we are not to understand a verbal translation in our sense. The not unfrequently coarse, but always effective laying on of Roman local tints over the Greek ground-work, which Plautus was

fond of, is completely and designedly banished from Terence; not an allusion puts one in mind of Rome, not a proverb, hardly a reminiscence;* even the Latin titles are replaced by Greek. The same distinction shows itself in the artistic treatment. First of all the players receive back their appropriate masks, and greater care is observed as to the scenic arrangements, so that it is no longer the case, as with Plautus, that everything requires to be done on the street, whether belonging to it or not. Plautus ties and unties the dramatic knot carelessly and loosely, but his plot is droll and often striking; Terence, far less effective, keeps everywhere account of probability, not unfrequently at the cost of suspense, and wages emphatic war against the certainly somewhat flat and insipid standing expedients of his predecessors, *e. g.*, against allegoric dreams.† Plautus paints his characters with broad strokes, often after a stock-model, always with a view to the more distant and gross general effect; Terence handles the psychological development with a careful and often excellent miniature-painting, as in the *Adelphi* for instance, where the two old men—the easy bachelor enjoying life in town, and the sadly harassed not at all refined country-landlord—form a masterly contrast. The springs of action and the language of Plautus are drawn from the tavern, those of Terence from the household of the good citizen. The lazy Plautine hostelry, the very unconstrained but very charming damsels with the hosts duly corresponding, the sabre-rattling troopers, the slave-world painted with an altogether peculiar humour, whose heaven is the cellar, and whose fate is the lash, have disappeared in Terence or at any rate undergone improvement. In Plautus we find ourselves, on the whole, among incipient or

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* Perhaps the only exception is in the *Andria* (iv. 5) the answer to the question how matters go:—

"*Sic*
Ut quimus," *aiunt*, "*quando ut volumus non licet*,"

in allusion to the line of Caecilius, which is, indeed, also imitated from a Greek proverb:—

Vivas ut possis, quando non quis ut velis.

The comedy is the oldest of Terence's, and was exhibited by the theatrical authorities on the recommendation of Caecilius. The gentle expression of gratitude is characteristic.

† A counterpart to the hind chased by dogs and with tears calling on a young man for help, which Terence ridicules (*Phorm. prol.* 4), may be recognized in the far from ingenious Plautine allegory of the goat and the ape (*Merc.* ii. 1). Such excrescences are ultimately traceable to the rhetoric of Euripides (*e. g.* Eurip. *Hec.* 90).

thorough rogues, in Terence again, as a rule, among none but honest men; if occasionally a *leno* is plundered or a young man taken to the brothel, it is done with a moral intent, possibly out of brotherly love or to deter the boy from frequenting improper haunts. The Plautine pieces are pervaded by the significant antagonism of the tavern to the house; everywhere wives are visited with abuse, to the delight of all husbands temporarily emancipated and not quite sure of an amiable salutation at home. The comedies of Terence are pervaded not by a more moral, but by a more becoming conception of the feminine nature and of married life. As a rule, they end with a virtuous marriage or if possible with two—just as it was the glory of Menander that he compensated for every seduction by a marriage. The eulogies of a bachelor life, which are so frequent in Menander, are repeated by his Roman remodeller only with characteristic shyness,* whereas the lover in his agony, the tender husband at the *accouchement*, the loving sister by the death-bed in the *Eunuchus* and the *Andria* are very gracefully delineated; in the *Hecyra* there even appears at the close as a delivering angel a virtuous courtesan, likewise a genuine Menandrian figure, which the Roman public, it is true, very properly hissed. In Plautus the fathers throughout only exist for the purpose of being jeered and swindled by their sons; with Terence in the *Heautontimorumenos* the lost son is reformed by his father's wisdom, and, as in general he is full of excellent instructions as to education, so the point of the best of his pieces, the *Adelphi*, turns on finding the right mean between the too liberal training of the uncle and the too rigid training of the father. Plautus writes for the great multitude and gives utterance to profane and sarcastic speeches, so far as the censorship of the stage at all allowed; Terence on the contrary describes it as his aim to please the good and, like Menander, to offend nobody. Plautus is fond of vigorous, often noisy dialogue, and his pieces require the liveliest play of gesture in the actors; Terence confines himself to "quiet conversation." The language of Plautus abounds in burlesque turns and verbal

* Micio in the *Adelphi* (i. 1) praises his good fortune in life, more particularly because he has never had a wife, "which those (the Greeks) reckon a piece of good fortune."

witticisms, in alliterations, in comic coinages of new terms, Aristophanic combinations of words, pithy expressions of the day jestingly borrowed from the Greek. Terence knows nothing of such caprices; his dialogue moves on with the purest symmetry, and its points are elegant epigrammatic and sententious turns. The comedy of Terence is not to be called an improvement, as compared with that of Plautus, either in a poetical or in a moral point of view. Originality cannot be affirmed of either, but, if possible, still less of Terence; and the dubious praise of more correct copying is at least outweighed by the circumstance that, while the younger poet reproduced the agreeableness, he knew not how to reproduce the merriment of Menander, so that the comedies of Plautus imitated from Menander, such as the *Stichus*, the *Cistellaria*, the *Bacchides*, probably preserve far more of the flowing charm of the original than the comedies of the "*dimidiatus Menander*." And, while the aesthetic critic cannot recognize an improvement in the transition from the coarse to the dull, as little can the moralist in the transition from the obscenity and indifference of Plautus to the accommodating morality of Terence. But in point of language an improvement certainly took place. Elegance of language was the pride of the poet, and it was owing above all to its inimitable charm that the most refined judges of art in aftertimes, such as Cicero, Caesar, and Quinctilian, assigned the palm to him among all the Roman poets of the republican age. In so far it is perhaps justifiable to date a new era in Roman literature—the real essence of which lay not in the development of Latin poetry, but in the development of the Latin language—from the comedies of Terence as the first artistically pure imitation of Hellenic works of art. The modern comedy made its way amidst the most determined literary warfare. The Plautine style of composing had taken root among the Roman *bourgeoisie;* the comedies of Terence encountered the liveliest opposition from the public, which found their "insipid language," their "feeble style," intolerable. The apparently somewhat sensitive poet replied in his prologues—which properly were not intended for any such purpose—with counter-criticisms full of defensive and offensive polemics; and appealed from the multitude, which had

twice run off from his *Hecyra* to witness a band of gladiators and rope-dancers, to the cultivated circles of the genteel world. He declared that he only aspired to the approval of the "good;" in which doubtless there was not wanting a hint, that it was not at all seemly to undervalue works of art which had obtained the approval of the "few." He acquiesced in or even favoured the report, that persons of distinction aided him in composing with their counsel or even with their co-operation.* In reality he carried his point; even in literature the oligarchy prevailed, and the artistic comedy of the exclusives supplanted the comedy of the people: we find
131. that about 620 the pieces of Plautus disappeared from the set of stock plays. This is the more significant, because after the early death of Terence no man of conspicuous talent at all further occupied this field. Respecting the comedies of
103. Turpilius (+651 at an advanced age) and other stop-gaps wholly or almost wholly forgotten, a connoisseur already at the close of this period gave it as his opinion, that the new comedies were even much worse than the bad new pennies (p. 434).

We have formerly shown (p. 468) that in all probability

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* In the prologue of the *Heautontimorumenos* he puts the objection into the mouth of his censors:—

Repente ad studium hunc se applicasse musicum
Amicum ingenio fretum, haud natura sua.

160. And in the later prologue (594) to the *Adelphi* he says—

Nam quod isti dicunt malevoli, homines nobiles
Eum adjutare, assidueque una scribere;
Quod illi maledictum vehemens esse existimant
Eam laudem hic ducit maximam, quum illis placet
Qui vobis universis et populo placent;
Quorum opera in bello, in otio, in negotio,
Suo quisque tempore usus est sine superbia.

As early as the time of Cicero it was the general supposition that Laelius and Scipio Aemilianus were here meant: the scenes were designated which were alleged to proceed from them; stories were told of the journeys of the poor poet with his genteel patrons to their estates near Rome; and it was reckoned unpardonable that they had done nothing at all for the improvement of his financial circumstances. But the power which creates legend is, as is well known, nowhere more potent than in the history of literature. It is clear, and even judicious Roman critics acknowledged, that these lines could not possibly apply to Scipio who was then twenty-five years of age, and to his friend Laelius who was not much older. Others with at least more judgment thought of the poets of quality Quintus Labeo (consul in 571) and Marcus Popillius (consul in 581), and of the learned patron of art and mathematician, Lucius Sulpicius Gallus (consul in 588); but this too is evidently mere conjecture. That Terence was in close relations with the Scipionic house cannot, however, be doubted: it is a significant fact, that the first exhibition of the *Adelphi* and the second of the *Hecyra* took place at the funeral games of Lucius Paullus, which were provided by his sons Scipio and Fabius.

already in the course of the sixth century a national Roman comedy (*togata*) was added to the Graeco-Roman (*palliata*), as a portraiture not of the distinctive life of the capital, but of the ways and doings of the Latin land. Of course the Terentian school rapidly took possession of this species of comedy also; it was quite in accordance with its spirit to naturalize Greek comedy in Italy on the one hand by faithful translation, and on the other hand by pure Roman imitation. The chief representative of this school was Lucius Afranius (flourished about 660). The fragments of his comedies remaining give no distinct impression, but they are not inconsistent with what the Roman critics of art remark regarding him. His numerous national comedies were in their construction thoroughly formed on the model of the Greek intrigue-piece; only, as was natural in imitation, they were simpler and shorter. In the details also he borrowed what pleased him partly from Menander, partly from the older national literature. But of the Latin local colouring, which is so distinctly marked in Titinius the creator of this species of art, we find not much in Afranius; his subjects retain a very general character, and may have been throughout imitations of particular Greek comedies with merely an alteration of costume. A polished eclecticism and adroitness in composition—literary allusions not unfrequently occur—are characteristic of him as of Terence: the moral tendency too, in which his pieces approximated to the drama, their inoffensive tenor in a police point of view, their purity of language are common to him with the latter. Afranius is sufficiently indicated as of a kindred spirit with Menander and Terence by the judgment of posterity that he wore the *toga* as Menander would have worn it had he been an Italian, and by his own expression that to his mind Terence surpassed all other poets.

National comedy.

Afranius. 90.

The farce appeared afresh at this period in the field of Roman literature. It was in itself very old (i. 247): long before Rome arose, the merry youths of Latium may have improvised on festal occasions in the masks once for all established for particular characters. These pastimes obtained a fixed local background in the Latin "asylum of fools," for which they selected the formerly Oscan town of Atella,

Atellanae.

which was destroyed in the Hannibalic war and was thereby handed over to comic use; thenceforth the name of "Oscan plays" or "plays of Atella" was commonly used for these exhibitions.* But these pleasantries had nothing to do with the stage† and with literature; they were performed by amateurs where and when they pleased, and the text was not written or at any rate was not published. It was not until the present period that the Atellan piece was handed

* With these names there has been associated from ancient times a series of errors. The utter mistake of Greek reporters, that these farces were played at Rome in the Oscan language, is now with justice universally rejected; but it is, on a closer consideration, little short of impossible to bring these pieces, which are laid in the midst of Latin town and country life, into relation with the national Oscan character at all. The appellation of "Atellan play" is to be explained in another way. The Latin farce with its fixed characters and standing jests needed a permanent scenery: the fool-world everywhere seeks for itself a local habitation. Of course under the Roman stage-police none of the Roman communities, or of the Latin communities allied with Rome, could be taken for this purpose although it was allowable to transfer the *togatae* to these. But Atella, which, although destroyed *de*
211. *jure* along with Capua in 543 (ii. 180, 202), continued practically to subsist as a village inhabited by Roman farmers, was adapted in every respect for the purpose. This conjecture is changed into certainty by our observing that several of these farces are laid in other communities within the domain of the Latin tongue, which existed no longer at all, or no longer at any rate in the eye of the law—such as the *Campani* of Pomponius and perhaps also his *Adelphi* and his *Quinquatria* in Capua, and the *Milites Pometinenses* of Novius in Suessa Pometia—while no existing community was subjected to a similar abuse. The real home of these pieces was therefore Latium, their poetical stage was the Latinized Oscan land; with the Oscan nation they have no connection. The statement that a piece of Naevius (+ after
200. 550) was for want of proper actors performed by "Atellan players" and was therefore called *personata* (Festus, *s. v.*), proves nothing against this view: the appellation "Atellan players" is here employed proleptically, and we might even conjecture from this passage that they were formerly termed "masked players" (*personati*).

An explanation quite similar may be given of the "lays of Fescennium," which likewise belong to the burlesque poetry of the Romans and were localized in the South Etruscan village of Fescennium; it is not necessary on that account to class them with Etruscan poetry any more than the Atellanae with Oscan. That Fescennium was in historical times not a town but a village, cannot certainly be directly proved, but is in the highest degree probable from the way in which authors mention the place and from the silence of inscriptions.

† The close and original connection, which Livy in particular represents as subsisting between the Atellan farce and the *satura* with the drama thence developed, is not at all tenable. The difference between the *histrio* and the Atellan player was just about as great as is at present the difference between a professional actor and a man who goes to a masked ball; between the dramatic piece, which down to Terence's time had no masks, and the Atellan, which was essentially based on the character-mask, there subsisted an original distinction in no way to be effaced. The drama arose out of the flute-piece, which at first without any recitation was confined merely to song and dance, then acquired a text (*satura*), and lastly obtained through Andronicus a *libretto* borrowed from the Greek stage, in which the old flute-lays occupied nearly the place of the Greek chorus. This course of development nowhere in its earlier stages came into contact with the farce, which was performed by amateurs.

over to actors properly so called,* and was employed, like the Greek satyric drama, as an afterpiece particularly after tragedies; a change which naturally suggested the extension of literary activity to that field. Whether this authorship developed itself altogether independently, or whether possibly the art-farce of Lower Italy, in various respects of kindred character, gave the impulse to this Roman farce,† can no longer be determined; that the several pieces were uniformly original works, is certain. The founder of this new species of literature, Lucius Pomponius from the Latin colony of Bononia, appeared in the first half of the seventh century;‡ and along with his pieces those of another poet Novius soon became favourites. So far as the few remains and the reports of the old *litteratores* allow us to form an opinion, they were short farces, ordinarily perhaps of one act, the charm of which depended less on the preposterous and loosely constructed plot than on the drastic portraiture of particular classes and situations. Festal days and public acts were favourite subjects of comic delineation, such as the "Marriage," the "First of March," "Harlequin Candidate;" so were also foreign nationalities—the Transalpine Gauls, the Syrians; above all, the various trades frequently appear on the boards. The sacristan, the soothsayer, the bird-seer, the physician, the publican, the painter, fisherman, baker, pass across the stage;

* In the time of the empire the Atellana was represented by professional actors (Friedländer in Becker's *Handbuch*, iv. 546). The time at which these began to engage in it is not reported, but it can hardly have been other than the time at which the Atellan was admitted among the regular stage-plays, *i.e.*, the epoch before Cicero (Cic. *ad Fam.* ix. 16). This view is not inconsistent with the circumstance that still in Livy's time (vii. 2) the Atellan players retained their honorary rights as contrasted with other actors; for the statement that professional actors began to take part in performing the Atellana for pay does not imply that the Atellana was no longer performed, in the country towns for instance, by unpaid amateurs, and the privilege therefore still remained applicable.

† It deserves attention that the Greek farce was not only especially at home in Lower Italy, but that several of its pieces (*e.g.*, among those of Sopater, the "Lentile-Porridge," the "Wooers of Bacchis," the "Valet of Mystakos," the "Bookworms," the "Physiologist") strikingly remind us of the Atellanae. This composition of farces must have reached down to the time at which the Greeks in and around Neapolis formed a distinct enclosure within the Latin-speaking Campania; for one of these writers of farces, Blaesus of Capreae, bears even a Roman name and wrote a farce "Saturnus."

‡ According to Eusebius, Pomponius flourished about 664; Velleius calls him a contemporary of Lucius Crassus (614–663) and Marcus Antonius (611–667). The former statement is probably about a generation too late; the reckoning by *victoriati* (p. 436) which was discontinued about 650 still occurs in his *Pictores*, and about the end of this period we already meet the mimes which displaced the Atellanae from the stage. 90. 140–91. 143–87. 100.

the criers were severely assailed and still more the fullers, who seem to have played in the Roman fool-world the part of our tailors. While the varied life of the city thus received its due attention, the farmer with his joys and sorrows was also represented in all aspects. The copiousness of this rural repertory may be guessed from the numerous titles of that nature, such as "the Cow," "the Ass," "the Kid," "the Sow," "the Swine," "the Sick Boar," "the Farmer," "the Countryman," "Harlequin Countryman," "the Cattle-herd," "the Vinedresser," "the Figgatherer," "Woodcutting," "Pruning," "the Poultry-yard." In these pieces it was always the standing figures of the stupid and the artful servant, the good old man, the wise man, that delighted the public; the first in particular might never be wanting—the *Pulcinello* of this farce—the gluttonous filthy *Maccus*, hideously ugly and yet eternally in love, always on the point of stumbling across his own path, set upon by all with jeers and with blows and eventually at the close the regular scapegoat. The titles "*Maccus Miles*," "*Maccus Copo*," "*Maccus Virgo*," "*Maccus Exul*," "*Macci Gemini*" may furnish the good-humoured reader with some conception of the variety of entertainment in the Roman masquerade. Although these farces, at least after they came to be written, accommodated themselves to the general laws of literature, and in their metres for instance followed the Greek stage, they yet naturally retained a far more Latin and more popular stamp than even the national comedy. The farce resorted to the Greek world only under the form of travestied tragedy;* and this style appears to have been cultivated first by Novius, and not very frequently in any case. The farce of this poet moreover ventured, if not to trespass on Olympus, at least to touch the most human of the gods, Hercules: he wrote a *Hercules Auctionator*. The tone, as a matter of course, was not the most refined; very unambiguous ambiguities, coarse rustic obscenities, ghosts frightening and occasionally devouring children, formed part of the entertainment, and

* It was probably merry enough in this form. In the *Phoenissae* of Novius, for instance, there was the line:—

Sume arma, jam te occidam clava scirpea,

just as Menander's Ψευδηρακλῆς makes his appearance.

offensive personalities, even with the mention of names, not unfrequently crept in. But there was no want also of vivid delineation, of grotesque incidents, of telling jokes, and of pithy sayings; and the harlequinade rapidly won for itself no inconsiderable position in the theatrical life of the capital and even in literature.

Dramatic arrangements.

Lastly as regards the development of dramatic arrangements, we are not in a position to set forth in detail—what is clear on the whole—that the general interest in dramatic performances was constantly on the increase, and that they became more and more frequent and magnificent. Not only was there hardly any ordinary or extraordinary popular festival that was now celebrated without dramatic exhibitions; even in the country-towns and in private houses representations by companies of hired actors were common. It is true that, while probably various municipal towns at this time possessed theatres built of stone, the capital was still without one; the building of a theatre, already contracted for, had been again prohibited by the senate in 599 on the suggestion 155.
of Publius Scipio Nasica. It was quite in the spirit of the sanctimonious policy of this age, that the building of a permanent theatre was prohibited out of respect for the customs of their ancestors, but nevertheless theatrical entertainments were allowed rapidly to increase, and enormous sums were expended annually in erecting and decorating structures of boards for the purpose. The arrangements of the stage became visibly better. The improved scenic arrangements and the reintroduction of masks about the time of Terence are doubtless connected with the fact, that the erection and maintenance of the stage and stage-apparatus were charged in 580 on the public chest.* The plays which 174.
Lucius Mummius produced after the capture of Corinth (609) 145.
formed an epoch in the history of the theatre. It was probably then that a theatre acoustically constructed after

* Hitherto the person providing the play had been obliged to fit up the stage and scenic apparatus out of the round sum assigned to him or at his own expense, and probably much money would not often be expended on these. But in 580 the censors made the erection of the stage for the games of the praetors and aediles a matter of special contract (Liv. xli. 27): the circumstance that the stage-apparatus was now no longer erected merely for a single performance must have led to a perceptible improvement in it.

the Greek fashion and provided with seats was first erected, and more care generally was expended on the exhibitions.* Now also there is frequent mention of the bestowal of a prize of victory—which implies the competition of several pieces—of the audience taking a lively part for or against the leading actors, of cliques and *claqueurs*. The decorations and machinery were improved; moveable scenery artfully painted and audible theatrical thunder made their appearance under the
99. aedileship of Gaius Claudius Pulcher in 645;† and twenty
79. years later (675) under the aedileship of the brothers Lucius and Marcus Lucullus came the changing of the decorations by shifting the scenes. To the close of this epoch belongs the greatest of Roman actors, the freedman Quintus Roscius
62. (+ about 692 at a great age), throughout several generations the ornament and pride of the Roman stage,‡ the friend and welcome boon-companion of Sulla—to whom we shall have to recur in the sequel.

Epos. In recitative poetry the most surprising circumstance is the insignificance of the Epos, which during the sixth century had occupied decidedly the first place in the literature destined for reading; it had numerous representatives in the seventh, but not a single one who had even temporary success. From the present epoch there is hardly anything to be reported save a number of rude attempts to translate Homer, and some continuations of the Ennian Annals, such as the "Istrian War" of Hostius and the "Annals (perhaps)

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* The attention given to the acoustic arrangements of the Greeks may be inferred from Vitruv. v. 5, 8. Ritschl (*Parerg.* i. 227, xx.) has discussed the question of the seats; but it is probable (according to Plautus, *Capt. prol.* 11) that those only who were not *capite censi* had a claim to a seat. It is probable, moreover, that the words of Horace that "captive Greece led captive her conqueror" primarily refer to these epoch-making theatrical games of Mummius (Tac. *Ann.* xiv. 21).

† The scenery of Pulcher must have been regularly painted, since the birds are said to have attempted to perch on the tiles (Plin. *H. N.* xxxv. 4, 23: Val. Max. ii. 4, 6). Hitherto the machinery for thunder had consisted in the shaking of nails and stones in a copper kettle; Pulcher first produced a better thunder by rolling stones, which was thenceforth named "Claudian thunder" (Festus, *v. Claudiana*, p. 57).

‡ Among the few minor poems preserved from this epoch there occurs the following epigram on this illustrious actor:—

Constiteram, exorientem Auroram forte salutans,
Cum subito a laeva Roscius exoritur.
Pace mihi liceat, coelestes, dicere vestra;
Mortalis visust pulchrior esse deo.

The author of this epigram, Greek in its tone and inspired by Greek enthusiasm for art, was no less a man than the conqueror of the Cimbri, Quintus Lutatius Catulus, consul in 652.

of the Gallic War" by Aulus Furius (about 650), which to all appearance took up the narrative at the very point where Ennius had broken off—the description of the Istrian war of 576 and 577. In didactic and elegiac poetry no prominent name appears. The only successes, which the recitative poetry of this period has to show, belong to the domain of what was called *Satura*—a species of art, which like the letter or the pamphlet allowed any form and admitted any sort of contents, and accordingly in default of all proper generic characters derived its individual shape wholly from the individuality of each poet, and occupied a position not merely on the boundary between poetry and prose, but even more than half beyond the bounds of literature proper. The humorous poetical epistles, which one of the younger men of the Scipionic circle, Spurius Mummius, the brother of the destroyer of Corinth, sent home from the camp of Corinth to his friends, were still read with pleasure a century afterwards; and numerous poetical pleasantries of that sort not destined for publication probably proceeded at that time from the rich social and intellectual life of the better circles of Rome.

100. 178, 177. Satura.

Its representative in literature is Gaius Lucilius (606–651) sprung of a respectable family in the Latin colony of Suessa, and likewise a member of the Scipionic circle. His poems are, as it were, open letters to the public. Their contents, as a gifted successor gracefully says, embrace the whole life of a cultivated man of independence, who looks upon the events passing on the political stage from the pit and occasionally from the side-scenes; who converses with the best of his epoch as his equals; who prosecutes literature and science with sympathy and intelligence without wishing personally to pass for a poet or scholar; and who, in fine, makes his pocket-book the confidential receptacle for everything good and bad that he meets with, for his political experiences and expectations, for grammatical remarks and criticisms on art, for the incidents of his own life, visits, dinners, journeys, as well as for the anecdotes which he has heard. Caustic, capricious, thoroughly individual, the Lucilian poetry has yet a distinctly impressed controversial and, so far, didactic aim in literature as well as in morals and politics; there is

Lucilius. 148–103.

in it something of the protest of the country against the capital; the Suessan's sense of his own purity of speech and honesty of life asserts itself in antagonism to the great Babel of mingled tongues and corrupt morals. The aspiration of the Scipionic circle after literary correctness, especially in point of language, finds critically its most finished and most gifted representative in Lucilius. He dedicated his very first book to Lucius Stilo the founder of Roman philology (p. 465), and designated as the public for which he wrote not the cultivated circles of pure and classical speech, but the Tarentines, the Bruttians, the Siculi, or in other words the half-Greeks of Italy, whose Latin certainly might well require a corrective. Whole books of his poems are occupied with the settlement of Latin orthography and prosody, with the combating of Praenestine, Sabine, Etruscan provincialisms, with the exposure of current solecisms; along with which, however, the poet by no means forgets to ridicule the insipidly systematic Isocratean purism of words and phrases,* and even to reproach his friend Scipio in serious jest with the exclusive fineness of his language.† But the poet inculcates purity of morals in public and private life far more earnestly than he preaches pure and simple Latinity. For this his position gave him peculiar advantages. Although by descent, estate, and culture on a level with the genteel Romans of his time and possessor of a handsome house in the capital, he was yet not a Roman burgess, but a Latin; even his position towards Scipio, under whom he had served in his early youth during the Numantine war, and in whose house he was a frequent visitor, may be connected with the fact, that Scipio stood in varied relations to the Latins and was their patron in the political feuds of the time (p. 108). He was thus precluded from a public life, and he disdained the career of a speculator—he had no desire, as he once said, to "cease to be Lucilius in order to become an Asiatic revenue-farmer." So he lived in the sultry age of the Gracchan reforms and the agitations preceding the

* *Quam lepide* λέξεις *compostae ut tesserulae omnes*
Arte pavimento atque emblemate vermiculato!

† The poet advises him—
Quo facetior videare et scire plus quam ceteri—
to say not *pertaesum* but *pertisum*.

Social war, frequenting the palaces and villas of the Roman grandees and yet not exactly their client, at once immersed in the strife of political coteries and parties and yet not directly taking part with one or another; in a way similar to Béranger, of whom there is much that reminds us in the political and poetical position of Lucilius. From this position he uttered his comments on public life with a sound common sense that was not to be shaken, with a good humour that was inexhaustible, and with a wit perpetually flowing:

Nunc vero a mane ad noctem, festo atque profesto
Toto itidem pariterque die populusque patresque
Jactare endo foro se omnes, decedere nusquam.
Uni se atque eidem studio omnes dedere et arti;
Verba dare ut caute possint, pugnare dolose,
Blanditia certare, bonum simulare virum se,
Insidias facere ut si hostes sint omnibus omnes.

The illustrations of this inexhaustible text remorselessly, without omitting his friends or even the poet himself, assailed the evils of the age, the coterie-system, the endless Spanish war-service, and the like. At the very commencement of his satires was a great debate in the senate of the Olympian gods on the question, whether Rome deserved to enjoy the continued protection of the celestials. Corporations, classes, individuals, were everywhere severally mentioned by name; the poetry of political polemics, shut out from the Roman stage, was the true element and life-breath of the Lucilian poems, which by the power of the most pungent wit illustrated with the richest imagery—a power which still entrances us even in the remains that survive—pierce and crush their adversary "as by a drawn sword." In this—in the moral ascendancy and the proud consciousness of freedom of the poet of Suessa—lies the reason why the refined Venusian, who in the Alexandrian age of Roman poetry revived the Lucilian satire, in spite of all his superiority in formal skill with true modesty yields to the earlier poet as "his better." The language is that of a man of thorough culture, Greek and Latin, who freely indulges his humour; a poet like Lucilius, who is alleged to have made two hundred hexameters before dinner and as many after it, is in far too great a hurry to be nice; useless prolixity, slovenly repetition of the same turn,

culpable instances of carelessness frequently occur: the first word, Latin or Greek, is always the best. The metres are similarly treated, particularly the very predominant hexameter: if we transpose the words—his acute imitator says—no man would observe that he had anything else before him than simple prose; in point of effect they can only be compared to our doggerel verses.* The poems of Terence and those of Lucilius stand on the same level of culture, and have the same relation to each other as a carefully prepared and polished literary work has to a letter written on the spur of the moment. But the incomparably higher intellectual gifts and the freer view of life, which mark the knight of Suessa as compared with the African slave, rendered his success as rapid and brilliant as that of Terence had been laborious and doubtful; Lucilius became immediately the favourite of the nation, and he like Béranger could say of his poems that "they alone of all were read by the people." The uncommon popularity of the Lucilian poems is, in a historical point of view, a remarkable event; we see from it that literature was already a power, and beyond doubt we should fall in with various traces of its influence, if a thorough history of this period had been preserved. Posterity has only confirmed the judgment of contemporaries; the Roman judges of art who were opposed to the Alexandrian school assigned to Lucilius the first rank among all the Latin poets. So far as satire can be regarded as a distinct form of art at all, Lucilius created it; and in it created the only species of art which was peculiar to the Romans and was transmitted by them to posterity.

Of poetry based on the Alexandrian school nothing occurs

* The following longer fragment is a characteristic specimen of the style and metrical treatment, the loose structure of which cannot possibly be reproduced in German hexameters:—

Virtus, Albine, est pretium persolvere verum
Queis in versamur, queis vivimu' rebu' potesse;
Virtus est homini scire id quod quaeque habeat res;
Virtus scire homini rectum, utile quid sit, honestum,
Quæ bona, quæ mala item, quid inutile, turpe, inhonestum;
Virtus quaerendae rei finem scire modumque;
Virtus divitiis pretium persolvere posse;
Virtus id dare quod re ipsa debetur honori,
Hostem esse atque inimicum hominum morumque malorum,
Contra defensorem hominum morumque bonorum,
Hos magni facere, his bene velle, his vivere amicum;
Commoda praeterea patriae sibi prima putare,
Deinde parentum, tertia iam postremaque nostra.

in Rome at this epoch except minor poems translated from or modelled on Alexandrian epigrams, which deserve notice not on their own account, but as the first harbingers of the later epoch of Roman literature. Leaving out of account some poets little known and whose dates cannot be fixed with certainty, there belong to this category Quintus Catulus, consul in 652 (p. 482) and Lucius Manlius, an eminent senator, 102.
who wrote in 657. The latter seems to have been the first to 97.
circulate among the Romans various geographical tales current among the Greeks, such as the Delian legend of Latona, the fables of Europa and of the marvellous bird Phoenix; as it was likewise reserved for him on his travels to discover at Dodona and to copy that remarkable tripod, on which might be read the oracle imparted to the Pelasgians before their migration into the land of the Siceli and Aborigines—a discovery which the Roman annals did not neglect devoutly to register.

In historical composition this epoch is especially signalized Historical composition.
by an author who did not belong to Italy either by birth or in respect of his intellectual and literary stand-point, but who Polybius.
first or rather alone as an author appreciated and described the position of Rome in the world, and to whom all subsequent generations, and we too, owe the best part of our knowledge of the Roman development. Polybius (*c.* 546—*c.* 627) of 208–127.
Megalopolis in the Peloponnesus, son of the Achaean statesman Lycortas, took part apparently as early as 565 in the ex- 189.
pedition of the Romans against the Celts of Asia Minor, and was afterwards on various occasions, more especially during the third Macedonian war, employed by his countrymen in military and diplomatic affairs. After the crisis occasioned by that war in Hellas he was carried off along with the other Achaean hostages to Italy (ii. 329), where he lived in exile for seventeen years (587—604) and was introduced by the sons of 167–150.
Paullus to the leading circles of the capital. By the sending back of the Achaean hostages (p. 46) he was restored to his home, where he thenceforth acted as permanent mediator between his confederacy and the Romans. He was present at the destruction of Carthage and of Corinth. He seemed educated, as it were, by destiny to comprehend the historical position of Rome more clearly than the Romans of that day

could themselves. From the position in which he stood as a Greek statesman and a Roman prisoner, esteemed and occasionally envied for his Hellenic culture by Scipio Aemilianus and the first men of Rome generally, he saw the streams which had so long flowed separately meeting together in the same channel and the history of the states of the Mediterranean resolving itself into the hegemony of Roman power and Greek culture. Thus Polybius became the first Greek of note, who embraced with serious conviction the comprehensive view of the Scipionic circle, and recognized the ascendancy of Hellas in the sphere of intellect and that of Rome in the sphere of politics as facts, regarding which history had given her final decision, and to which people on both sides were entitled and bound to submit. In this spirit he acted as a practical statesman, and wrote his history. If in his youth he had done homage to the honourable but impracticable local patriotism of the Achaeans, during his later years, with a clear discernment of inevitable necessity, he advocated in the community to which he belonged the policy of the closest adherence to Rome. It was a policy in the highest degree judicious and beyond doubt well-intentioned, but it was far from being high-spirited or proud. Nor was Polybius able wholly to disengage himself from the vanity and paltriness of the Hellenic statesmanship of the time. He was hardly released from exile, when he proposed to the senate that it should formally secure to the released their former rank in their several homes; whereupon Cato aptly remarked, that this looked to him as if Ulysses were to return to the cave of Polyphemus to request from the giant his hat and girdle. He often made use of his relations with the great men in Rome to benefit his countrymen; but the way in which he submitted to, and boasted of, the illustrious protection somewhat approaches fawning servility. His literary activity breathes throughout the same spirit as his practical action. It was the task of his life to write the history of the union of the Mediterranean states under the hegemony of Rome. From the first Punic war down to the destruction of Carthage and Corinth his work embraces the fortunes of all the civilized states—namely Greece, Macedonia, Asia Minor, Syria, Egypt, Carthage, and Italy—and exhibits in causal connection the mode in which they came under the

Roman protectorate; in so far he describes it as his object to demonstrate the fitness and reasonableness of the Roman hegemony. In design as in execution, this history stands in clear and distinct contrast with the contemporary Roman as well as with the contemporary Greek historiography. In Rome history still remained wholly at the stage of chronicle; there existed doubtless important historical materials, but what was called historical composition was restricted—with the exception of the very respectable but purely individual writings of Cato, which at any rate did not reach beyond the rudiments of research and narration—partly to nursery tales, partly to collections of notices. The Greeks had certainly exhibited historical research and had written history; but the ideas of nation and state had been so completely lost amidst the distracted times of the Diadochi, that none of the numerous historians succeeded in following the steps of the great Attic masters in spirit and in truth, or in treating from a broad point of view the matter of world-wide interest in the history of the times. Their histories were either purely outward records, or they were pervaded by the verbiage and sophistries of Attic rhetoric and only too often by the venality and vulgarity, the sycophancy and the exasperation of the age. Among the Romans as among the Greeks nothing existed but histories of cities or of tribes. Polybius, a Peloponnesian, as has been justly remarked, and holding intellectually a position at least as far aloof from the Attics as from the Romans, first stepped beyond these miserable limits, treated the Roman materials with mature Hellenic criticism, and furnished a history, which was not indeed universal, but which was at any rate dissociated from the mere local states and accommodated to the Romano-Greek state in the course of formation. Never perhaps has any historian united within himself all the advantages of an author drawing from original sources so completely as Polybius. The compass of his task is completely clear and present to him at every moment; and his eye is fixed throughout on the real historical connection of events. The legend, the anecdote, the mass of worthless chronicle-notices are thrown aside; the description of countries and peoples, the representation of political and mercantile relations —all the facts of so infinite importance, which escape the

annalist because they do not admit of being nailed to a particular year—are put into possession of their long-suspended rights. In the procuring of historic materials Polybius shows a caution and perseverance such as are not perhaps paralleled in antiquity; he avails himself of documents, gives comprehensive attention to the literature of different nations, makes the most extensive use of his favourable position for collecting the accounts of actors and eye-witnesses, and, in fine, methodically travels over the whole domain of the Mediterranean states and part of the coast of the Atlantic Ocean.* Truthfulness is his nature. In all great matters he has no interest for one state or against another, for this man or against that, but is singly and solely interested in the essential connection of events, to present which in their true relation of causes and effects seems to him not merely the first but the sole task of the historian. Lastly, the narrative is a model of completeness, simplicity, and clearness. Still all these uncommon advantages by no means constitute a historian of the first rank. Polybius grasps his literary task, as he grasped his practical, with grandeur of intellect, but with the intellect alone. History, the struggle of necessity and liberty, is a moral problem; Polybius treats it as if it were a mechanical one. The whole alone has value for him, in nature as in the state; the particular event, the individual man, however wonderful they may appear, are yet properly mere single elements, insignificant wheels in the highly artificial mechanism which receives the name of the state. So far Polybius was certainly qualified as no other was to narrate the history of the Roman people, which actually solved the marvellous problem of raising itself to unparalleled internal and external greatness without producing a single statesman of genius in the highest sense, and which resting on its simple foundations developed itself with wonderful almost mathematical consistency. But the element of moral freedom is active in the history of every people, and it was not neglected by Polybius in the history of Rome with impunity. His treatment of all questions, in which right, honour, religion are involved, is not merely

* Such scientific travels were, however, nothing uncommon among the Greeks of this period. Thus in Plautus (*Men.* 248, comp. 235) one who has navigated the whole Mediterranean asks—

Quin nos hinc domum
Redimus, nisi si historiam scripturi
sumus?

shallow, but radically false. The same holds true wherever a genetic construction is required; the purely mechanical attempts at explanation, which Polybius substitutes, are sometimes altogether desperate; there is hardly, for instance, a more foolish political speculation than that which derives the excellent constitution of Rome from a judicious mixture of monarchical, aristocratic, and democratic elements, and deduces the successes of Rome from the excellence of her constitution. His conception of relations is everywhere dreadfully jejune and destitute of imagination: his contemptuous and pert mode of treating religious matters is altogether offensive. The narrative, preserving throughout an intentional contrast to the usual Greek historiography with its artistic style, is correct and clear, but flat and languid, digressing with undue frequency into polemical discussions or into biographical, not seldom very self-sufficient, description of his own experiences. A controversial vein pervades the whole work; the author destined his treatise primarily for the Romans, and yet found among them only a very small circle that understood him; he felt that he remained in the eyes of the Romans a foreigner, in the eyes of his countrymen a renegade, and that with his grand conception of his subject he belonged more to the future than to the present. Accordingly he was not exempt from a certain ill-humour and personal bitterness, which frequently appear after a quarrelsome and paltry fashion in his attacks upon the superficial or even venal Greek and the uncritical Roman historians, so that he degenerates from the tone of the historian to that of the reviewer. Polybius is not an attractive author; but as truth and truthfulness are of more value than all ornament and elegance, no other author of antiquity perhaps can be named to whom we are indebted for so much real instruction. His books are like the sun in the field of Roman history; at the point where they begin the veil of mist which still envelops the Samnite and Pyrrhic wars is raised, and at the point where they end a new and, if possible, still more vexatious twilight begins.

Roman chroniclers

In singular contrast to this grand conception and treatment of Roman history by a foreigner stands the contemporary historical literature of native growth. At the beginning of

this period we still find some chronicles written in Greek such as that already mentioned (ii. 486) of Aulus Postumius (consul
151. in 603), full of wretched rationalizing, and that of Gaius
142. Acilius (who closed it at an advanced age about 612). Yet under the influence partly of Catonian patriotism, partly of the more refined culture of the Scipionic circle, the Latin language gained so decided an ascendancy in this field, that of the later historical works not more than one or two occur written in Greek;* and not only so, but the older Greek chronicles were translated into Latin and were probably read mainly in these translations. Unhappily beyond the employment of the mother-tongue there is hardly anything else deserving of commendation in the chronicles of this epoch composed in Latin. They were numerous and ample enough—there are mentioned,
146. for example, those of Lucius Cassius Hemina (about 608), of
133. Lucius Calpurnius Piso (consul in 621), of Gaius Sempronius
137. 129. Tuditanus (consul in 625), of Gaius Fannius (consul in 632). To these falls to be added the digest of the official annals of the city in eighty books, which Publius Mucius Scaevola
133. (consul in 621), a man esteemed also as a jurist, prepared and published as *pontifex maximus*, thereby closing the city-chronicle in so far as thenceforth the pontifical records, although not exactly discontinued, were no longer at any rate, amidst the increasing diligence of private chroniclers, taken account of in literature. All these annals, whether they gave themselves forth as private or as official works, were substantially similar compilations of the extant historical and quasi-historical materials; and the value of their authorities as well as their formal value declined beyond doubt in the same proportion as their amplitude increased. Chronicle certainly nowhere presents truth without fiction, and it would be very foolish to quarrel with Naevius and Pictor because they have not acted otherwise than Hecataeus and Saxo Grammaticus; but the later attempts to build houses out of such castles in the air severely test even the most tried patience. No blank

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* The only real exception, so far as we know, is the Greek history of Gnaeus Aufidius, who flourished in Cicero's boyhood (*Tusc.* v. 38, 112), that is, about
90. 660. The Greek memoirs of Publius Rutilius Rufus (consul in 649) are hardly to be regarded as an exception, since their author wrote them in exile at Smyrna.

in tradition presents so wide a chasm, but that this system of smooth and downright invention will fill it up with playful facility. The eclipses of the sun, the numbers of the census, family-registers, triumphs are without hesitation carried back from the current year up to the year 1; it stands duly recorded, in what year, month, and day king Romulus went up to heaven, and how king Servius Tullius triumphed over the Etruscans first on the 25th November 183, and again on the 571.
25th May 187. In entire harmony with such details accord- 567.
ingly the vessel in which Aeneas had voyaged from Ilion to Latium was shown in the Roman docks, and even the identical sow, which had served as a guide to Aeneas, was preserved well pickled in the Roman temple of Vesta. With the talent of a poet for inventing lies these chroniclers of rank combine all the tiresome exactness of a notary, and treat their great subject throughout with the dulness which necessarily results from the elimination at once of all poetical and all historical elements. When we read, for instance, in Piso that Romulus avoided indulging in his cups when he had a sitting of the senate next day; or that Tarpeia betrayed the Capitol to the Sabines out of patriotism, with a view to deprive the enemy of their shields; we cannot be surprised at the judgment of intelligent contemporaries as to all this sort of scribbling, "that it was not writing history, but telling stories to children." Of far greater excellence were isolated works on the history of the recent past and of the present, particularly the history of the Hannibalic war by Lucius Caelius Antipater (about 633) and the history of his own time by Publius 121
Sempronius Asellio, who was a little younger. These exhibited at least valuable materials and an earnest spirit of truth, in the case of Antipater also a vigorous, although somewhat homely, style of narrative; yet, judging from all testimonies and fragments, none of these books came up either in pithy form or in originality to the "Origines" of Cato, who unhappily created as little of a school in the field of history as in that of politics.

The subordinate, more individual and ephemeral, species of historical literature—memoirs, letters, and speeches—were strongly represented also, at least as respects quantity. The first statesmen of Rome already recorded in person their ex- Memoirs and speeches.

115. periences: such as Marcus Scaurus (consul in 639), Publius
105. 102. Rufus (consul in 649), Quintus Catulus (consul in 652), and even the regent Sulla; but none of these productions seem to have been of importance for literature otherwise than by the substance of their contents. The collection of letters of Cornelia, the mother of the Gracchi, was remarkable partly for the classical purity of the language and the high spirit of the writer, partly as the first correspondence published in Rome, and as the first literary production of a Roman lady. The literature of speeches preserved at this period the stamp impressed on it by Cato; advocates' pleadings were not yet looked on as literary productions, and such speeches as were published were political pamphlets. During the revolutionary commotions this pamphlet-literature increased in extent and importance, and among the mass of ephemeral productions there were some which, like the Philippics of Demosthenes and the *brochures* of Courier, acquired a permanent place in literature from the important position of their authors or from their own weight. Such were the political speeches of Gaius Laelius and of Scipio Aemilianus, masterpieces of excellent Latin as of the noblest patriotism; such were the fluent speeches of Gaius Titius, from whose pungent pictures of the place and the time—his description of the senatorial *iudex* has been given already (p. 441)—the national comedy borrowed various points; such above all were the numerous orations of Gaius Gracchus, whose fiery words preserved in a faithful mirror the impassioned earnestness, the noble bearing, and the tragic destiny of that highly gifted nature.

Sciences. In scientific literature the collection of juristic opinions
150. by Marcus Brutus, which was published about the year 600, presents a remarkable attempt to transplant the Greek method of handling professional subjects by means of dialogue to Rome, and to give to his treatise an artistic semi-dramatic form by a machinery of conversation in which the persons, time, and place were distinctly specified. But the later men of science, such as Stilo the philologist and Scaevola the jurist, laid aside this method, more poetical than practical, both in the sciences of general culture and in the special professional sciences. The increasing value of science as such, and the preponderance of the practical interest in it at

Rome, are clearly reflected in this rapid rejection of the fetters of artistic form. We have already spoken (p. 463 *seq.*) in detail of the sciences of general liberal culture, grammar or rather philology, rhetoric and philosophy, in so far as these now became essential elements of the usual Roman training and thereby first began to be dissociated from the professional sciences properly so called.

Philology.

In the field of letters Latin philology flourished vigorously, in close association with the philological treatment—long ago firmly established—of Greek literature. It was already mentioned that about the beginning of this century the Latin epic poets found their *diaskeuastae* and revisers of their text (p. 464); it was also noticed, that not only did the Scipionic circle generally insist on correctness above everything else, but several also of the most noted poets, such as Accius and Lucilius, busied themselves with the regulation of orthography and of grammar. At the same period we find isolated attempts to develop archaeology from the historical side; although the dissertations of the unwieldy annalists of this age, such as those of Hemina "on the Censors" and of Tuditanus "on the Magistrates," can hardly have been better than their chronicles. Of more interest were the treatise on the Magistracies by Marcus Junius the friend of Gaius Gracchus, as the first attempt to make the investigation of antiquity serviceable for political objects,* and the metrically composed *Didascaliae* of the tragedian Accius, an essay towards a literary history of the Latin drama. But those early attempts at a scientific treatment of the mother-tongue still bear very much a *dilettante* stamp, and strikingly remind us of our orthographic literature in the Bodmer-Klopstock period; and we may likewise without injustice assign but a modest place to the antiquarian researches of this epoch.

Stilo.

The Roman, who established the investigation of the Latin language and antiquities in the spirit of the Alexandrian masters on a scientific basis, was Lucius Aelius Stilo about 650 (p. 462). He first went back to the oldest monuments 100

* The assertion, for instance, that the quaestors were nominated in the regal period by the burgesses, not by the king, is as certainly false as it obviously bears the impress of a partisan character.

of the language, and commented on the Salian litanies and the Twelve Tables. He devoted his special attention to the comedy of the sixth century, and first formed a list of the pieces of Plautus which in his opinion were genuine. He sought, after the Greek fashion, to determine historically the origin of every single phenomenon in the Roman life and dealings and to ascertain in each case the "inventor," and at the same time brought the whole annalistic tradition within the range of his research. The success, which he had among his contemporaries, is attested by the dedication to him of the most important poetical, and the most important historical, works of his time, the Satires of Lucilius and the Annals of Antipater; and this first Roman philologist influenced the studies of his nation also in future times by transmitting his spirit of investigation both into words and into things to his disciple Varro.

Rhetoric. The literary activity in the field of Latin rhetoric was, as might be expected, of a more subordinate kind. There was nothing here to be done but to write manuals and exercise-books after the model of the Greek compendia of Hermagoras and others; and these accordingly the schoolmasters did not fail to supply, partly on account of the need for them, partly on account of vanity and money. Such a manual of rhetoric has been preserved to us, composed under Sulla's dictatorship by an unknown author, who according to the fashion then prevailing (p. 465) taught simultaneously Latin literature and Latin rhetoric, and wrote on both; a treatise remarkable not merely for its close, clear, and firm handling of the subject, but above all for its comparative independence as respects Greek models. Although in method entirely dependent on the Greeks, the Roman yet distinctly and even abruptly rejects all "the useless matter which the Greeks had gathered together, solely in order that the science might appear more difficult to learn." The bitterest censure is bestowed on the hair-splitting dialectics—that "loquacious science of inability to speak"—whose finished master, for sheer fear of expressing himself ambiguously, at last no longer ventures to pronounce his own name. The Greek school-terminology is throughout and intentionally avoided. Very earnestly the author points out the danger of many

teachers, and inculcates the golden rule that the scholar ought above all to be trained by the teacher to help himself; with equal earnestness he recognizes the truth that the school is a secondary, and life the main, matter, and gives in his examples chosen with thorough independence an echo of those forensic speeches which during the last decades had excited notice in the Roman advocate-world. It deserves attention, that the opposition to the extravagances of Hellenism, which had formerly sought to prevent the rise of a native Latin rhetoric (p. 465), continued to influence it after it arose, and thereby secured to Roman eloquence, as compared with the contemporary eloquence of the Greeks, theoretically and practically a higher dignity and a greater usefulness.

Philosophy. Philosophy, in fine, was not yet represented in literature, since neither did an inward need develop a national Roman philosophy nor did outward circumstances call forth a Latin philosophical authorship. It cannot even be shown with certainty that there were Latin translations of popular summaries of philosophy belonging to this period; those who pursued philosophy read and disputed in Greek.

Professional sciences. In the professional sciences there was but little activity. Well as the Romans understood how to farm and to calculate, physical and mathematical research gained no hold among them. The consequences of neglecting theory appeared practically in the low state of medical knowledge and of a portion of the military sciences.

Jurisprudence. Of all the professional sciences jurisprudence alone was flourishing. We cannot trace its internal development with chronological accuracy. On the whole the pontifical law fell more and more into the shade, and at the end of this period stood nearly in the same position as the canon law at the present day. The finer and more profound conception of law, on the other hand, which substitutes for outward criteria the motive springs of action within—such as the development of the ideas of offences arising from intention and from carelessness respectively, and of possession entitled to temporary protection—was not yet in existence at the time of the Twelve Tables, but was so in the age of Cicero, and probably owed its elaboration substantially to the present epoch. The reaction of political

relations on the development of law has been already indicated on several occasions; it was not always advantageous. By the institution of the tribunal of the *Centumviri* to deal with inheritance (p. 391), for instance, there was introduced in the law of property a college of jurymen, which, like the criminal authorities, instead of simply applying the law placed itself above it and with its so-called equity undermined the legal institutions; one consequence of which among others was the irrational principle, that any one whom a relative had passed over in his testament was at liberty to propose that the testament should be annulled by the court, and the court decided according to its discretion.

The development of juristic literature admits of being more distinctly recognized. It had hitherto been restricted to collections of formularies and explanations of terms in the laws; at this period there was first formed a literature of opinions (*responsa*), which answers nearly to our modern collections of precedents. These opinions—which were delivered no longer merely by members of the pontifical college, but by every one who found persons to consult him, at home or in the open market-place, and with which were already associated rational and polemical illustrations and the standing controversies peculiar to jurisprudence—began to be noted down and to be promulgated in collections about the beginning of the seventh century. This was done first by the
150. younger Cato (+ about 600) and by Marcus Brutus (nearly contemporary); and these collections were, as it would appear, arranged in the order of matters.* A strictly systematic treatment of the law of the land soon followed. Its founder was the *pontifex maximus* Quintus Mucius Scaevola
95. 82. (consul in 659, + 672, (p. 229, 354, 455), in whose family jurisprudence was, like the supreme priesthood, hereditary. His eighteen books on the *Ius Civile*, which embraced the positive materials of jurisprudence—legislative enactments, judicial precedents, and authorities—partly from the older collections, partly from oral tradition in as great completeness

* Cato's book probably bore the title *De Iuris Disciplina* (Gell. xiii. 20), that of Brutus the title *De Iure Civili* (Cic. *pro Cluent.* 51, 141; *De Orat.* ii. 55, 223); that they were essentially collections of opinions, is shown by Cicero (*De Orat.* ii. 33, 142).

as possible, formed the starting-point and the model of the complete systems of Roman law; in like manner his compendious treatise of "Definitions" (ὅροι) became the basis of juristic summaries and particularly of the books of Rules. Although this development of law proceeded of course in the main independently of Hellenism, yet an acquaintance with the philosophico-practical systematizing of the Greeks beyond doubt gave a general impulse to the more systematic treatment of jurisprudence, as in fact the Greek influence is in the case of the last-mentioned treatise apparent in the very title. We have already remarked that in several more external matters Roman jurisprudence was influenced by the Stoa (p. 453).

Art exhibits still less pleasing results. In architecture, sculpture, and painting there was, no doubt, a more and more general diffusion of a *dilettante* interest, but the exercise of native art retrograded rather than advanced. It became more and more customary for those sojourning in Grecian lands personally to inspect the works of art; for which in particular the winter-quarters of Sulla's army in Asia Minor in 670—671 84–83 formed an epoch. Connoisseurship developed itself also in Italy. They had commenced with articles in silver and bronze; about the commencement of this epoch they began to esteem not merely Greek statues, but also Greek pictures. The first picture publicly exhibited in Rome was the Bacchus of Aristides, which Lucius Mummius withdrew from the sale of the Corinthian spoil, because king Attalus offered as much as 6000 *denarii* (£260) for it. The buildings became more splendid; and in particular transmarine, especially Hymettian, marble (Cipollin) came into use for that purpose—the Italian marble quarries were not yet in operation. A magnificent colonnade still admired in the time of the empire, which Quintus Metellus (consul in 611) the conqueror of 143. Macedonia constructed in the Campus Martius, enclosed the first marble temple which the capital had seen; it was soon followed by similar structures built on the Capitol by Scipio Nasica (consul in 616), and on the Circus by Gnaeus Octavius 138. (consul in 626). The first private house adorned with marble 128. columns was that of the orator Lucius Crassus (+663) on the 91. Palatine (p. 438). But where they could plunder or purchase,

Art.

instead of creating for themselves, they did so; it was a wretched indication of the poverty of Roman architecture, that it already began to employ the columns of the old Greek temples; the Roman Capitol, for instance, was embellished by Sulla with those of the temple of Zeus at Athens. The works, that were produced in Rome, proceeded from the hands of foreigners; the few Roman artists of this period, who are particularly mentioned, are without exception Italian or transmarine Greeks who had migrated thither. Such was the case with the architect Hermodorus from the Cyprian Salamis, who among other works restored the Roman docks
143. and built for Quintus Metellus (consul in 611) the temple of Jupiter Stator in the basilica constructed by him, and for
138. Decimus Brutus (consul in 616) the temple of Mars in the
89. Flaminian circus; with the sculptor Pasiteles (about 665) from Magna Graecia, who furnished images of the gods in ivory for Roman temples; and with the painter and philosopher Metrodorus of Athens, who was written for to paint the
167. pictures for the triumph of Lucius Paullus (587). It is significant that the coins of this epoch exhibit in comparison with those of the previous period a greater variety of types, but a retrogression rather than an improvement in the cutting of the dies.

Finally, music and dancing passed over in like manner from Hellas to Rome, solely in order to be there applied to the enhancement of decorative luxury. Such foreign arts were certainly not new in Rome; the state had from olden time allowed Etruscan flute-players and dancers to appear at its festivals, and the freedmen and the lowest class of the Roman people had previously followed this trade. But it was a novelty that Greek dances and musical performances should form the regular accompaniment of a fashionable banquet. Another novelty was a dancing-school, such as Scipio Aemilianus full of indignation describes in one of his speeches, in which upwards of five hundred boys and girls—the dregs of the people and the children of magistrates and of dignitaries mixed up together—received instruction from a ballet-master in far from decorous castanet-dances, in corresponding songs, and in the use of the proscribed Greek stringed instruments. It was a novelty too—not so much that a consular and *pontifex maxi-*

mus like Publius Scaevola (consul in 621) should catch the balls in the circus as nimbly as he solved the most complicated questions of law at home—as that noble young Romans should display their jockey-arts before all the people at the festal games of Sulla. The government occasionally attempted to check such practices; as for instance in 639, when all musical instruments, with the exception of the simple flute indigenous in Latium, were prohibited by the censors. But Rome was no Sparta; the lax government by such prohibitions rather drew attention to the evils than attempted to remedy them by a sharp and consistent application of the laws. 133. 115.

If, in conclusion, we glance back at the picture as a whole which the literature and art of Italy unfold to our view from the death of Ennius to the beginning of the Ciceronian age, we find in these respects as compared with the preceding epoch a most decided decline of productiveness. The higher kinds of literature—such as epos, tragedy, history—have died out or have been arrested in their development. The subordinate kinds—the translation and imitation of the intrigue-piece, the farce, the poetical and prose *brochure*—alone prosper; in this last field of literature swept by the full hurricane of revolution we meet with the two men of greatest literary talent in this epoch, Gaius Gracchus and Gaius Lucilius, who stand out amidst a number of more or less mediocre writers just as in a similar epoch of French literature Courier and Béranger stand out amidst a multitude of pretentious nullities. In the plastic and delineative arts likewise the production, always weak, is now utterly null. On the other hand the receptive enjoyment of art and literature flourished; as the Epigoni of this period in the political field gathered in and used up the inheritance that fell to their fathers, we find them in this field also as diligent frequenters of plays, as patrons of literature, as connoisseurs and still more as collectors in art. The most honourable aspect of this activity was its learned research, which put forth a native intellectual energy, more especially in jurisprudence and in linguistic and antiquarian investigation. The foundation of these sciences which properly falls within the present epoch, and the first small beginnings of an imitation of the Alexandrian hothouse poetry, already herald the approaching epoch of Roman Alexandrin-

ism. All the productions of the present epoch are smoother, more free from faults, more systematic than the creations of the sixth century. The literati and the friends of literature of this period not altogether unjustly looked down on their predecessors as bungling novices: but while they ridiculed or censured the defective labours of these novices, the most gifted of them probably confessed to themselves that the season of the nation's youth was past, and ever and anon perhaps felt in the still depths of the heart a secret longing to wander once more in the delightful paths of youthful error.

END OF THE THIRD VOLUME.

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